

13134. Adulteration and misbranding of apple butter. U. S. v. 15 Cases, etc.
(F. D. C. No. 24851. Sample Nos. 6103-K, 6104-K.)

LIBEL FILED: May 19, 1948, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 6, 1948, by the Hancock Canning Co., Inc., from Hancock, Md.

PRODUCT: 15 cases and 3 cases, each case containing 12 jars, of apple butter at Altoona, Pa.

LABEL, IN PART: (Both lots) "Hanco Brand Apple Butter Contents 2 Lbs. 6 Ozs."; (3-case lot) "Artificial Grape Flavor * * * Added."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product of less than 43 percent soluble solids content and (3-case lot) containing artificial flavoring had been substituted for apple butter.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for apple butter, since the soluble-solids content was less than 43 percent and (3-case lot) it contained artificial flavoring, which is not permitted as an ingredient of apple butter.

DISPOSITION: June 29, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

• 13135. Adulteration and misbranding of apple butter. U. S. v. 74 Cases, etc.
(F. D. C. No. 24035. Sample No. 18733-K.)

LIBEL FILED: January 5, 1948, Western District of Kentucky.

ALLEGED SHIPMENT: On or about May 27, 1947, by the Brown Specialty Co., from Galesburg, Ill.

PRODUCT: 105 cases, each containing 24 1-pound, 2-ounce jars, of apple butter at Louisville, Ky.

LABEL, IN PART: "Adams Maid Brand Apple Butter Packed by Adams Apple Products Corp. Aspers, Penna."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product of less than 43 percent soluble solids content had been substituted for apple butter.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for apple butter, since the soluble-solids content of the product was less than 43 percent.

DISPOSITION: April 16, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

13136. Misbranding of apple butter. U. S. v. Adams Apple Products Corp. Plea of nolo contendere. Fine, \$400. (F. D. C. No. 23241. Sample Nos. 41949-H, 42064-H, 49914-H, 64029-H.)

INFORMATION FILED: September 29, 1947; Middle District of Pennsylvania, against the Adams Apple Products Corp., Aspers, Pa.

ALLEGED SHIPMENT: On or about July 24 and August 10, 12, and 26, 1946, from the State of Pennsylvania into the States of Virginia, Alabama, and Connecticut, and the District of Columbia.

LABEL, IN PART: "Adams Maid Brand * * * Apple Butter."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for apple butter, since it had not been concentrated by heat to such point that the soluble solids content of the finished product was not less than 43 percent.

DISPOSITION: October 27, 1947. A plea of nolo contendere having been entered, a fine of \$400 was imposed.

MISCELLANEOUS FRUIT AND FRUIT PRODUCTS*

13137. Adulteration of cherries in brine. U. S. v. Hudson Duncan & Co. Plea of guilty. Fine, \$1,500. (F. D. C. No. 21508. Sample Nos. 52462-H, 52939-H.)

INFORMATION FILED: January 2, 1947, District of Oregon, against Hudson Duncan & Co., a corporation, Dundee, Oreg.

ALLEGED SHIPMENT: On or about March 26 and April 3, 1946, from the State of Oregon into the State of Kentucky.

LABEL, IN PART: "Pride of Oregon Brand * * * Royal Anne Cherries."

*See also Nos. 13002, 13053.