

LABEL, IN PART: (Jar) "Colonial Pure Apple-Black Raspberry Jelly," "Colonial Pure Apple Jelly," "Colonial Pure Apple-Strawberry [or "Apple-Black Raspberry" or "Apple-Grape"] Jelly."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the articles in the 16-case lot, 5-case lot, and 48-case lot failed to bear labels containing an accurate statement of the quantity of the contents since the label statements (16- and 48-case lots) "Net Weight 2 Lbs." and (5-case lot) "Net Weight 12 Oz." were inaccurate. (Examination showed that the articles in such lots were short weight.)

Further misbranding, Section 403 (g) (1), the articles in the 16-case lot, 48-case lot, and 49-case lot failed to conform to the definitions and standards of identity for fruit jelly since such articles contained added artificial color, which is not permitted as an ingredient of fruit jelly in the definitions and standards.

DISPOSITION: June 3, 1953. A default decree was entered providing for the delivery of the products to charitable institutions.

20471. Misbranding of peach preserves, strawberry preserves, and grape jam.
U. S. v. 100 Cases, etc. (F. D. C. No. 35403. Sample Nos. 62594-L to 62596-L, incl.)

LABEL FILED: August 27, 1953, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about March 28 and April 21, 1953, by Colonial Mfg. Co., Inc., from Oklahoma City, Okla.

PRODUCT: 100 cases of peach preserves, 36 cases of strawberry preserves, and 135 cases of grape jam at Pine Bluff, Ark. Each case contained 12 2-pound-size jars.

LABEL, IN PART: (Jar) "Mrs. Wilkes' * * * Pure Peach Preserves [or "Pure Strawberry Preserves" or "Pure Grape Jam"]."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the articles failed to bear labels containing an accurate statement of the quantity of the contents since the label statements "Net Weight 2 Lbs." or "Net Wt. 2 Lbs." were inaccurate. (Examination showed that the articles were short weight.)

Further misbranding, Section 403 (g) (1), the articles purported to be and were represented as fruit preserves, foods for which definitions and standards of identity have been prescribed by regulations, and they failed to conform to such definitions and standards since the articles had not been concentrated by heat to such point that their soluble-solids were not less than 65 percent with respect to the peach preserves and not less than 68 percent with respect to the strawberry preserves and grape jam.

DISPOSITION: September 25, 1953. Colonial Mfg. Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

MISCELLANEOUS FRUIT PRODUCTS

20472. Adulteration of grape nectar. U. S. v. 236 Cases * * *. (F. D. C. No. 32896. Sample No. 21879-L.)

LABEL FILED: March 21, 1952, Northern District of Texas.

ALLEGED SHIPMENT: On or about October 5, 1951, by Butterfield Canning Co., Inc., from Warren, Ind.