

Misbranding, Section 403 (g) (1), the articles failed to conform to the definitions and standards of identity since all lots were made from mixtures composed of less than 45 parts by weight of the fruit ingredient to each 55 parts by weight of one of the saccharine ingredients; the Jamaica Plain and Fitchburg lots had not been concentrated by heat to such point that the soluble solids content of the finished article was not less than 68 percent; and the Jamaica Plain lot contained added water and phosphoric acid or acid phosphate; and, Section 403 (a), (Jamaica Plain lot) the name "Red Raspberry Jam" was false and misleading.

DISPOSITION: November 17, 1944. The Mactavish Preserves Co., claimant for the Jamaica Plain, Boston, and Somerville lots, having admitted the allegations of the libels, and the cases having been consolidated, judgment of condemnation was entered and the products were ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. On February 19, 1945, no claimant having appeared for the Fitchburg lot, judgment of condemnation was entered and the product was ordered destroyed.

8044. Adulteration and misbranding of blackberry jam. U. S. v. 50 Cases and 25 Cases of Blackberry Jam. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 14046, 14445. Sample Nos. 71382-F, 71384-F.)

LIBELS FILED: On or about October 30, 1944, and January 13, 1945, District of Oregon.

ALLEGED SHIPMENT: On or about September 1 and 8, 1944, by Inez McDonald, from Grass Valley, Calif.

PRODUCT: 75 cases, each containing 24 1-pound, 4-ounce jars, of blackberry jam at Portland, Oreg. Examination showed that the article was moldy.

LABEL, IN PART: (Jars) "Home Made Pure Fruit Product Wild Blackberry Jam."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance; and, Section 402 (b) (2), a product of less than 68 percent soluble solids content had been substituted in whole or in part for blackberry jam, a food for which a definition and standard of identity has been prescribed by the regulations.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity since the blackberry jam was not concentrated by heat to such a point that the soluble solids content of the finished jam was not less than 68 percent.

DISPOSITION: December 6, 1944, and February 17, 1945. The Northwest Grocery Co., Portland, Oreg., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

8045. Adulteration of raisins. U. S. v. 79 Cartons of Raisins. Default decree of condemnation and destruction. (F. D. C. No. 13852. Sample No. 63919-F.)

LIBEL FILED: October 4, 1944, Southern District of Florida.

ALLEGED SHIPMENT: On or about May 29, 1944, by the California Packing Corporation, from Fresno, Calif.

PRODUCT: 79 30-pound cartons of raisins at Jacksonville, Fla.

LABEL, IN PART: (Cartons) "Luxury Brand Extra Fancy Golden Bleached Thompson Seedless Raisins."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect-infested raisins.

DISPOSITION: December 6, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

VEGETABLES

8046. Adulteration of canned beans with pork and tomato sauce. U. S. v. 199 Cases of Canned Beans With Pork. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14192. Sample No. 75942-F.)

LIBEL FILED: November 6, 1944, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 23, 1944, by the Phillips Packing Co., Inc., from Cambridge, Md.