

Adulteration of the article was alleged in the libel for the reason that water or brine had been mixed with and substituted wholly or in part for the said article.

Misbranding of the article was alleged for the reason that the statement appearing in the labeling, "Contents Wet Pack 5½ Ounces," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 24, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11527. Adulteration and misbranding of sauerkraut. U. S. v. 14 Cases of Sauerkraut. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17279. I. S. No. 2134-v. S. No. E-4303.)

On February 13, 1923, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 14 cases of sauerkraut, at Uniontown, Pa., alleging that the article had been shipped by the W. H. Killian Co., from Baltimore, Md., on or about November 17, 1922, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Killian's Quality * * * Sauer Kraut Contents 2 Lb. * * * Packed By W. H. Killian Co. Baltimore, U. S. A."

Adulteration of the article was alleged in the libel for the reason that excessive brine had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding of the article was alleged for the reason that the statement, "Quality * * * Sauer Kraut Contents 2 Lb.," together with the design showing a cabbage, appearing in the labeling, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 24, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11528. Adulteration and misbranding of assorted jams. U. S. v. 195 Cases of Assorted Jams. Decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 17335. I. S. Nos. 8242-v, 8243-v, 8244-v, 8245-v, 8246-v, 8247-v, 8248-v. S. No. W-1334.)

On or about March 19, 1923, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 195 cases of assorted jams, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the Sanitary Food Mfg. Co., St. Paul, Minn., alleging that the articles had been shipped from St. Paul, Minn., on or about April 4, 1922, and transported from the State of Minnesota into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Golden Moon * * * Apple & Plum" (or "Apple & Blackberry," "Apple & Loganberry," "Apple & Pineapple," "Apple & Strawberry," "Apple & Peach," or "Apple & Raspberry") "Jam * * * Sanitary Food Mfg. Co. St. Paul, Minn."

Adulteration of the articles was alleged in the libel for the reason that products containing mixtures of acidified pectin jelly and fruit jams had been mixed and packed with and substituted wholly or in part for the respective articles.

Misbranding was alleged for the reason that the statements, "Apple & Plum Jam," "Apple & Raspberry Jam," "Apple & Blackberry Jam," "Apple & Loganberry Jam," "Apple & Pineapple Jam," "Apple & Strawberry Jam," or "Apple & Peach Jam," as the case might be, appearing on the labels of the