

**12494. Adulteration and misbranding of jelly. U. S. v. 10 Cases of Jelly. Default decree of condemnation and forfeiture. Product ordered delivered to charitable institution or destroyed. (F. & D. No. 17584. I. S. No. 3441-v. S. No. E-4420.)**

On July 5, 1923, the United States attorney for the Western District of South Carolina, 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 10 cases of jelly, at Spartansburg, S. C., alleging that the article had been shipped by the Old Virginia Orchard Co. (Inc.), from Front Royal, Va., on or about June 29, 1922, and transported from the State of Virginia into the State of South Carolina, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Jar) "Maiden Blush Brand \* \* \* Pure Apple Jelly Old Virginia Orchard Co. Inc. Front Royal, Va., U. S. A. Net Weight 6½ Oz."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, pectin, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and in that a substance, pectin jelly, containing added phosphoric acid, had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the label on the jars containing the article bore the statements, "Pure Apple Jelly Net Weight 6½ Oz." together with a design showing a primitive manufacturing plant and container holding what are apparently apples and a section of an orchard, which were false and misleading and deceived and misled purchasers. Misbranding was alleged for the further reason that the article was 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 September 14, 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 tendered to a charitable institution and, if refused, that it be destroyed.

HOWARD M. GORE, *Secretary of Agriculture.*

**12495. Adulteration of canned salmon. U. S. v. 750 Cases of Salmon. Decree of condemnation, forfeiture, and destruction. (F. & D. No. 18267. I. S. Nos. 5000-v, 19328-v, 19311-v. S. No. C-4213.)**

On January 14, 1924, the United States attorney for the Western District of Tennessee, 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 750 cases of salmon, at Memphis, Tenn., alleging that the article had been shipped by the Sanitary Fish Co. from Anacortes, Wash., on or about September 13, 1923, and transported from the State of Washington into the State of Tennessee, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Double 'Q' \* \* \* Select Pink Salmon Distributed By P. E. Harris & Co. Seattle, Wash."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On June 30, 1924, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal and that the claimant, P. E. Harris & Co., Seattle, Wash., pay the costs of the proceedings.

HOWARD M. GORE, *Secretary of Agriculture.*

**12496. Adulteration and misbranding of ground feed. U. S. v. 150 Sacks of Ground Feed, et al. Decree of condemnation and forfeiture. Product ordered sold or released under bond. (F. & D. Nos. 17570, 17660. I. S. Nos. 9181-v, 9185-v. S. Nos. C-3996, C-3999.)**

On June 22 and July 18, 1923, respectively, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 150 sacks of ground feed and 406 sacks of ground barley, in part at Holmesville, Ohio, and in part at Lexington,