

pound And Raspberry Preserves With Added Artificial Color And Phosphoric Acid Contents 15 Ozs. The Best-Clymer Co. St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that an artificially colored imitation product had been mixed and packed with and substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article had been colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statements in the labeling, "Raspberry Preserves" and "Contents 15 Ozs.," were 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, and for the further reason that it was an imitation of and offered for sale under the distinctive name of "Raspberry Preserves."

On November 3, 1924, the Best-Clymer Co., St. Louis, Mo., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be relabeled, "Marigold Brand Imitation Raspberry Preserves Composed of Corn Syrup, Pectin and Fruit With added Artificial Color and Phosphoric Acid Contents 14 Ozs."

W. M. JARDINE, *Secretary of Agriculture.*

**12835. Adulteration of canned salmon. U. S. v. 30 Cases, et al., of Canned Salmon. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 17894, 17989, 17988, 17990, 17991, 18008. I. S. Nos. 12510-v, 15021-v, 15022-v, 15023-v. S. Nos. E-4562, E-4571, E-4573.)

On November 6 and 15, 1923, respectively, the United States attorney for the Eastern District of Virginia, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 443 cases of canned salmon, remaining in the original unbroken packages in part at West Point, Va., and in part at Richmond, Va., alleging that the article had been shipped by McGovern & McGovern, from Seattle, Wash., in part August 29, 1923, and in part October 8, 1923, and transported from the State of Washington into the State of Virginia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Rose Brand Chum Salmon Distributed By Carlisle Packing Co. Seattle, Wash."

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

On October 6, 1924, the Carlisle Packing Co., Seattle, Wash., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be salvaged by actual recanning, and the bad portion destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

**12836. Misbranding of DeWitt's eclectic cure. U. S. v. 1 Dozen Bottles and 4 Dozen Bottles of DeWitt's Eclectic Cure. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16425. S. No. E-3956.)

On or about June 21, 1922, the United States attorney for the Southern District of Georgia, 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 1 dozen bottles, large size, and 4 dozen bottles, small size, of DeWitt's eclectic cure, remaining in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped by the W. J. Parker Co., from Baltimore, Md., June 1, 1922, and transported from the State of Maryland into the State of Georgia, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle label, both sizes) "Dr. DeWitt's Eclectic Cure \* \* \* for Cramps, Colic and Diarrhoea \* \* \* Indigestion \* \* \* Horse Colic"; (carton) "Cure \* \* \* for Indigestion, Diarrhoea,