

and condemnation of 3,250 jars of strawberry jam and 3,528 jars of raspberry jam, remaining in the original unbroken packages at San Francisco, Calif., alleging that the articles had been shipped by the Hudson Valley Pure Food Co., from Highland, N. Y., December 3, 1924, and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: (Jar) "Net Weight 15 Ozs. Ballardvale Pure Strawberry" (or "Raspberry") "Jam Distributed by United Drug Company Boston-St. Louis U. S. A."

Adulteration of the articles was alleged in the libel for the reason that a substance, excessive sugar, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "Pure Strawberry Jam" and "Pure Raspberry Jam," appearing in the labelings, were false and misleading and deceived and misled the purchaser, and for the further reason that they were offered for sale under the distinctive names of other articles.

On April 17, 1925, the United Drug Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products 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 they be brought into compliance with the law under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13294. Adulteration and misbranding of prepared mustard. U. S. v. 12 Cases and 43 Cases of Prepared Mustard. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18784. I. S. Nos. 12908-v, 12909-v. S. No. E-4867.)**

On June 13, 1924, the United States attorney for the District of Connecticut, 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 12 cases, containing 8-ounce jars, and 43 cases, containing 16-ounce jars, of prepared mustard, remaining in the original unbroken packages at Bridgeport, Conn., alleging that the article had been shipped by the Federal Food Products Co., Newark, N. J., on or about May 15, 1924, and transported from the State of New Jersey into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Jar) "Apex Brand Prepared Mustard—Mustard Bran—Made From Mustard Seed, Pure Spices, Turmeric, Salt And Distilled Vinegar. Importers And Manufacturers Meyer & Carmody Import Co. Inc. N. Y."

Adulteration of the article was alleged in the libel for the reason that mustard bran and turmeric had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance, an imitation mustard, had been substituted wholly or in part for the said article, and for the further reason that it had been colored in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the labels bore the statement, to wit, "Prepared Mustard Importers And Manufacturers Meyer & Carmody Import Co. Inc. N. Y.," which statement was false and misleading and deceived and misled the purchaser, and in that it was an imitation of or offered for sale under the distinctive name of another article.

On March 28, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13295. Misbranding of cottonseed meal. U. S. v. Terrell Oil & Refining Co. Plea of guilty. Fine, \$100. (F. & D. No. 10232. I. S. No. 10681-v.)**

On November 29, 1924, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Terrell Oil & Refining Co., a corporation, Terrell, Tex., alleging shipment by said company, in violation of the food and drugs act, on or about September