

14595. Adulteration and misbranding of jellies. U. S. v. 25 Cases of Jelly. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16696. S. No. C-3702.)

On August 2, 1922, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 cases of jellies, remaining in the original unbroken packages at East St. Louis, Ill., consigned by the Best-Clymer Mfg. Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about June 20, 1922, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the articles was alleged in the libel for the reason that apple products had been mixed and packed with and substituted wholly or in part for plum, raspberry, grape, strawberry or blackberry jelly, as the case might be. Adulteration was alleged for the further reason that the articles were colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statements, "Jelly" and "Apple-Blackberry," "Apple Strawberry," "Apple-Grape," "Apple-Raspberry" and "Apple-Plum," as the case might be, borne on the respective labels, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were imitations of and offered for sale under the distinctive names of other articles.

At the May, 1926, term of court, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

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

14596. Misbranding of crackers and cakes. U. S. v. 20 Dozen Barrels of Ginger Snaps, et al. Consent decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 20568. I. S. Nos. 605-x, 606-x, 607-x, 608-x. S. No. W-1808.)

On November 6, 1925, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 55 dozen barrels of mixed crackers and cakes, at Phoenix, Ariz., alleging that the articles had been shipped by the Loose-Wiles Biscuit Co., from Kansas City, Mo., on or about October 22, 1925, and transported from the State of Missouri into the State of Arizona, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled, variously: "King Dodo Ginger Snaps Loose-Wiles Biscuit Company Net Weight 1½ Lbs.," "Chocolate Snaps * * * Net Weight 1 Lb. 4 Oz.," "Vanilla Snaps Net Weight 1 Lb. 8 Ozs.," "Lemon Snaps Net Weight 1 Lb. 8 Ozs."

Misbranding of the articles was alleged in the libel for the reason that the statements, "Net Weight 1½ Lbs.," "Net Weight 1 Lb. 4 Oz.," or "Net Weight 1 Lb. 8 Ozs.," as the case might be, borne on the labels, were false and misleading and deceived and misled the purchaser, in that the true net weight of the contents of each of said barrels was less than stated on the label. Misbranding was alleged for the further reason that the product was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On March 18, 1926, the Loose-Wiles Biscuit Co. having appeared as claimant for the property and 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 \$100, conditioned in part that the said products not be sold or disposed of in violation of law.

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

14597. Misbranding of tankage. U. S. v. 60 Sacks of Tankage. Product released under bond to be reconditioned. (F. & D. No. 20891. I. S. No. 1678-x. S. No. C-4976.)

On February 23, 1926, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 60 sacks of tankage, at Butler, Mo., alleging that the article had been shipped by the Armour Fertilizer Co., Kansas City, Kans., on or about