

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 \$2,500, conditioned in part that it be sorted in a manner satisfactory to this department, to separate the good portion from the bad portion, and that the latter be destroyed or denatured.

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

14753. Adulteration and misbranding of jellies. U. S. v. 6,240 Tumblers of Grape Jelly, et al. Consent decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 21030. I. S. Nos. 8186-x, 8187-x. S. No. E-5709.)

On April 30, 1926, the United States attorney for the Eastern District of New York, 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 6,240 tumblers of grape jelly and 960 tumblers of currant jelly, remaining in the original unbroken packages at Brooklyn, N. Y., alleging that the articles had been shipped by Richard Brinkman, from Jersey City, N. J., April 9, 1926, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: (Jar) "Mrs. Brinkman's Pure Home Made Grape Jelly" (or "Currant Jelly") "64 Irving Street Jersey City."

Adulteration of the articles was alleged in the libel for the reason that substances, pectin and fruit jellies, had been mixed and packed therewith so as to reduce, lower, or injuriously affect their quality or strength and had been substituted wholly or in part for the said articles.

Misbranding was alleged for the reason that the statements "Pure * * * Grape Jelly" and "Pure * * * Currant Jelly," borne on the respective labels, 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 May 19, 1926, Richard Brinkman, Jersey City, N. J., claimant, having admitted the allegations of the libel 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 \$1,000, conditioned in part that they be relabeled, "Home Made Style Apple Pectin Grape Jelly" or "Currant Jelly," as the case might be.

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

14754. Adulteration of strawberry jam. U. S. v. 14 Cases of Unlabeled Strawberry Jam. Default decree of forfeiture and destruction entered. (F. & D. No. 20120. I. S. No. 3691-v. S. No. E-5310.)

On or about June 20, 1925, the United States attorney for the Eastern District of New York, 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 14 cases of unlabeled strawberry jam, remaining unsold in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by the Townsend Co., from Georgetown, Del., February 6, 1923, and transported from the State of Delaware into the State of New York, and charging adulteration in violation of the food and drugs act.

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

On November 8, 1926, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

14755. Adulteration of canned salmon. U. S. v. 600 Cases and 1,500 Cases of Salmon. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21282, 21293. I. S. Nos. 10835-x, 10836-x. S. Nos. W-2011, W-2015.)

On September 2 and 13, 1926, respectively, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 2,100 cases of canned salmon, remaining in the original unbroken packages at San Francisco, Calif., con-

signed by the Alaska Packers Assoc., alleging that the article had been shipped in interstate commerce in two shipments, from the Territory of Alaska into the State of California, arriving at San Francisco on or about August 23 and 30, 1926, respectively, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled: "Del Monte Brand Quality Packed By Alaska Packers Association San Francisco." The remainder of the said article was labeled: (Can) "J 15 Anchor Hume's Flag Brand Red Salmon Alaska Packers Association San Francisco."

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

On September 11 and 28, 1926, respectively, the Alaska Packers Assoc., San Francisco, Calif., having appeared as claimant for 600 cases of the product and the Alaska Packers having appeared as claimant for the remainder thereof, and the said claimants having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of bonds totaling \$21,660, conditioned in part that it be made to conform with the law under the direction of and to the satisfaction of this department.

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

14756. Adulteration and misbranding of tomato paste. U. S. v. 500 Cases, et al., of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 20956, 20973. I. S. Nos. 4018-x, 4019-x, 4020-x, 4023-x. S. Nos. C-5052, C-5056.)

On or about March 19 and 26, and April 29, 1926, respectively, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 1,875 cases of tomato paste, remaining in the original unbroken packages, in various lots at New Orleans, Plaquemine, Vacherie, Donaldsonville, Maringouin, Melville, Baton Rouge, Morgan City, Franklin, New Iberia, Thibodaux, Houma, and Litcher, La., respectively, alleging that the article had been shipped by the Fettig Canning Co., from St. Louis, Mo., and East St. Louis, Ill., in various consignments, on or about February 19 and 26, and March 8, 1926, respectively, and transported from the States of Missouri and Illinois into the State of Louisiana, and charging adulteration and misbranding with respect to a portion of the product, and adulteration with respect to the remainder thereof, in violation of the food and drugs act as amended. The various lots were labeled in part: (Can) "Mary's Choice Brand Tomato Paste * * * Packed By Fettig Canning Co. Elwood, Ind." or "Best-Of-All Brand Pure Tomato Paste" or "Conco Brand Tomato Paste Net Weight Of Contents 5 Ounces."

It was alleged in the libels that the above product was adulterated, in that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance. Adulteration was alleged with respect to the portion of the product labeled "Conco Brand" for the further reason that an insufficiently concentrated tomato paste product had been substituted wholly or in part for the article.

Misbranding of the said Conco brand was alleged for the reason that the statements "Tomato Paste Net Weight Of Contents 5 Ounces" were false and misleading and deceived and misled the purchaser, 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, in that the label indicated a weight of 5 ounces, whereas the package contained less than 5 ounces of the article.

On June 14, 1926, the cases having been consolidated into one cause of action and 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.

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

14757. Adulteration of canned salmon. U. S. v. 500 Cases, et al., of Salmon. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21280, 21281, 21283, 21286. I. S. Nos. 51-x, 52-x, 53-x, 54-x. S. Nos. W-2009, W-2010, W-2012, W-2013.)

On September 4 and 8, 1926, respectively, the United States attorney for the Northern District of California, acting upon reports by the Secretary of