

acid. A decree 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 under the supervision of this department, as follows: "Net Contents 2 Pounds 14 Ounces," and that the blackberry jam, strawberry jam, and raspberry jam be labeled, "Containing Added Pectin and Added Fruit Acid."

ARTHUR M. HYDE, *Secretary of Agriculture.*

15842. Adulteration of pears. U. S. v. 516 Baskets of Pears. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21249. I. S. No. 820-x. S. No. C-3035.)

On August 21, 1927, the United States attorney for the District of Nebraska, 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 516 baskets of pears at Cambridge, Nebr., alleging that the article had been shipped by Charles F. Schoening, from Fruitvale, Colo., on or about August 13, 1926, and transported from the State of Colorado into the State of Nebraska, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it contained an added poisonous ingredient which might have rendered it injurious to health, to wit, arsenic.

On March 5, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15843. Adulteration of tomato puree. U. S. v. Tennent Products Co. Plea of guilty. Defendant placed on probation. (F. & D. No. 22564. I. S. No. 13867-x.)

On May 29, 1928, the United States attorney for the district of New Jersey, 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 Tennent Products Co., a corporation, Freehold, N. J., alleging shipment by said company in violation of the food and drugs act, on or about January 5, 1927, from the State of New Jersey into the State of New York, of a quantity of tomato puree which was adulterated. The article was labeled in part, "Tennent Brand Tomato Puree * * * Tennent Products Co., Inc., Freehold, N. J."

It was alleged in the information that the article was adulterated, in that it consisted in whole and in part of a filthy, decomposed, and putrid vegetable substance.

On June 4, 1928, a plea of guilty to the information was entered on behalf of the defendant company. Sentence was suspended, said defendant being placed on probation.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15844. Misbranding of egg mash. U. S. v. Hales & Hunter Co. Plea of guilty. Fine, \$50. (F. & D. No. 22517. I. S. No. 8708-x.)

On September 26, 1927, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Hales & Hunter Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the food and drugs act, on or about September 8, 1926, from the State of Illinois into the State of Massachusetts, of a quantity of egg mash which was misbranded. The article was labeled in part: "Red Comb Egg Mash. * * * Guaranteed Analysis: Protein 20 Per Ct. * * * Sole Manufacturers Hales & Hunter Co., Chicago, Ill., U. S. A."

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis: Protein 20 Per Ct.," borne on the sacks containing the said article, was false and misleading in that the said statement represented that the article contained 20 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained 20 per cent of protein, whereas it did not contain 20 per cent of protein, but did contain a less amount.

On December 28, 1927, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

ARTHUR M. HYDE, *Secretary of Agriculture.*