

Brand Packed by Hawaiian Pineapple Co. Ltd. Honolulu, T. H. Hawaiian Islands, Contents 1 Pint 14 Fl. Oz."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Contents 1 pint 14 Fl. Oz.," was false and misleading and deceived and misled the purchaser, and 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 packages, since the quantity stated was not correct.

On February 5, 1929, the Hawaiian Pineapple Co. (Ltd.), Honolulu, Hawaii, 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 product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$389.20, conditioned in part that it be made by the claimant to conform to and with the provisions of the Federal food and drugs act under the supervision of this department.

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

16231. Misbranding and alleged adulteration of preserves. U. S. v. 947 Cases of Strawberry Preserves, et al. Product adjudged misbranded and ordered released under bond. (F. & D. No. 22866. I. S. Nos. 25321-x, 25322-x. S. No. 916.)

On July 6, 1928, the United States attorney for the Eastern 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 947 cases of strawberry preserves and 143 cases of peach preserves, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Eigelberner Food Products Co., from Chicago, Ill., on or about May 17, 1928, and transported from the State of Illinois into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Old Mother Hubbard Preserves * * * Eigelberner Food Products Co., Chicago. Strawberry (or "Peaches")."

It was alleged in the libel that the article was adulterated in that it was deficient in fruit and contained added tartaric acid which had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Pure Preserves," borne on the label, was false and misleading and deceived and misled the purchaser, and in that the product was offered for sale under the distinctive name of another article.

On September 17, 1929, the Eigelberner Food Products Co., Chicago, Ill., having appeared as claimant for the property and having admitted the material allegations of the libel, a decree was entered adjudging the product misbranded, and it was ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it be relabeled, "Fruit in Sugar Strawberry (or "Peach") Not a Jam. Prepared from 65% Sugar Added Fruit Acid 35% Strawberry (or "Peach")," the statement "Pure preserves" being eliminated from the label.

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

16232. Adulteration of frozen turkeys. U. S. v. 29 Barrels of Frozen Turkeys. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23220. I. S. No. 01529. S. No. 1327.)

On November 30, 1929, the United States attorney for the Eastern 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 29 barrels of frozen turkeys, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by S. A. Christian, Dallas, Tex., on or about November 22, 1928, and transported from the State of Texas into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From S. A. Christian, Dallas, Texas."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On January 9, 1929, 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.*