

Fruit Pectin, Fruit Acid and U. S. Certified Color"; "Made and Guaranteed to Comply with All Pure Food Regulations"; (5 Minit-Jelle) "Jelle * * * Real Home Type Jell * * * No fruit juice needed * * * Jelly is Made and Guaranteed to Comply with Pure Food Regulations"; (circular) "Jelly * * * Real Home Type Jelly * * * No fruit juice needed * * * Real Home Made True Fruit Jelly * * * Complying with all U. S. Pure Food Laws * * * Jelly—No fruit or juices are required * * * Grape Raspberry Currant Loganberry * * * Real Home Type Jelly." Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article, namely, 5 Minute Jelly, i. e., a base or concentrate for making true jelly.

On November 4, 1935, no claim having been entered for the goods seized at St. Louis, Mo., judgment of condemnation was entered and the product was ordered destroyed. On December 27, 1935, 5 Minit Jelle Ltd., having withdrawn its claim for the lot seized at Waukesha, Wis., judgment was entered condemning the product and it was ordered destroyed.

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

25667. Adulteration and misbranding of honey. U. S. v. 7 Cases, et al., of Honey. Default decrees of condemnation and destruction. (F. & D. nos. 36461, 36473. Sample nos. 42775-B to 42779-B, incl., 42787-B to 42791-B, incl.)

The product in these cases consisted of a mixture of honey and commercial invert sugar and was sold as pure honey. Most of the lots were found to be short in weight.

On October 7 and October 14, 1935, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 74 cases and 350 dozen jars of honey at Newark, N. J., alleging that the article had been shipped in interstate commerce, on or about September 14, October 2, and October 3, 1935, by the Silver Label Products Co., from Brooklyn, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Jar) "The Better Grade Uco Pure Honey * * * Distributed by Uco Food Corp. Newark, N. J." The jars were of various sizes labeled with respect to the weight of their contents: "Contents 8 Oz.", "Contents 14 Ozs.", "Contents 16 Ozs.", "Contents 32 Ozs.", or "Contents 5 Oz."

Adulteration of the article was charged under the allegation that honey containing commercial invert sugar had been substituted for pure honey which it purported to be.

Misbranding was alleged in that the statement "Pure Honey", borne on the label was false and misleading and tended to deceive and mislead the purchaser when applied to a product containing commercial invert sugar; and in that the article was offered for sale under the distinctive name of another article, "Pure Honey." Misbranding was alleged with respect to certain lots of the product for the further reason that the statements, "Contents 32 Ozs.", "Contents 16 Ozs.", "Contents 14 Oz.", and "Contents 8 Ozs.", were false and misleading and tended to deceive and mislead the purchaser when applied to a product which was short in weight, 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 package since the statement made was not correct.

On January 16 and February 19, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

25668. Adulteration of apples. U. S. v. 25 Bushels of Jonathan Apples. Default decree of condemnation and destruction. (F. & D. no. 36493. Sample no. 32698-B.)

This case involved an interstate shipment of apples that contained a compound of arsenic and lead.

On September 7, 1935, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 bushels of Jonathan apples at St. John, Kans., alleging that said article had been shipped in interstate com-

merce on or about September 3, 1935, from Springdale, Ark., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous ingredient, to wit, a compound of arsenic and lead, which might have rendered it harmful to health.

On February 21, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

25669. Adulteration of apples. U. S. v. 50 Bushels of Apples. Default decree of destruction. (F. & D. no. 36497. Sample no. 33770-B.)

This case involved apples that were contaminated with arsenic and lead.

On October 2, 1935, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 50 bushels of apples at Midletown, Ohio, consigned on September 30, 1935, alleging that the article had been shipped in interstate commerce by Lloyd Bryant, from Niles, Mich., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On October 9, 1935, no claimant having appeared, judgment was entered ordering that the product be destroyed.

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

25670. Adulteration of butter. U. S. v. 29 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. no. 36508. Sample no. 41040-B.)

This case involved an interstate shipment of butter that was deficient in milk fat.

On September 9, 1935, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 29 tubs of butter at St. Paul, Minn., alleging that the article had been shipped in interstate commerce on or about September 4, 1935, by the R. E. Cobb Co., from Valley City, N. Dak., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "63 pounds net."

The article was alleged to be adulterated in that a substance deficient in milk fat had been substituted for butter, a product which must contain not less than 80 percent by weight of milk fat.

On December 28, 1935, the court found the article to be adulterated as charged and ordered it released to claimant, R. E. Cobb Co., under bond to be reworked under supervision of the Food and Drug Administration.

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

25671. Adulteration of apples. U. S. v. 50 Bushels of Apples. Judgment of condemnation. Product released under bond, conditioned that deleterious substances be removed. (F. & D. no. 36517. Sample no. 32570-B.)

This case involved apples that were contaminated with arsenic and lead.

On or about September 12, 1935, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 50 bushels of apples at Hutchinson, Kans., alleging that the article had been shipped in interstate commerce on or about September 5, 1935, by Sam De Luca, from Rogers, Ark., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous ingredients, arsenic and lead, which might have rendered it injurious to health.

On April 22, 1936, the Grovier Starr Produce Co., of Hutchinson, Kans., having appeared as claimant, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it be washed in order to remove the deleterious substances.

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