

was entered, and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

**11486. Adulteration and misbranding of jellies. U. S. v. Shenandoah Valley Apple Cider & Vinegar Co., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 16850. I. S. Nos. 17036-t, 17037-t, 17038-t, 17039-t.)**

On December 21, 1922, the United States attorney for the Western District of Virginia, 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 Shenandoah Valley Apple Cider & Vinegar Co., a corporation, Winchester, Va., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 16, 1922, from the State of Virginia into the State of West Virginia, of quantities of jellies which were adulterated and misbranded. The articles were labeled in part: (Glasses) "Apple Pie Ridge 40 Miles of Apple Trees Apple And Strawberry" (or "Apple And Cherry" or "Apple And Blackberry" or "Apple And Raspberry") "Jelly Pure Cane Sugar \* \* \* Apple Pectin. Shenandoah Valley Apple Cider & Vinegar Co. Winchester, Va."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they consisted of jellies made from sugar and pectin.

Adulteration of the articles was alleged in the information for the reason that a certain substance, to wit, sugar pectin jelly, had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength and had been substituted in part for apple and strawberry jelly, apple and cherry jelly, apple and blackberry jelly, or apple and raspberry jelly, as the case might be, which the said articles purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Apple And Strawberry," "Apple And Cherry," "Apple And Blackberry," and "Apple And Raspberry," borne on the labels attached to the glasses containing the respective articles, regarding the said articles and the ingredients and substances contained therein, were false and misleading in that they represented that the articles were composed wholly of apple and strawberry jelly, apple and cherry jelly, apple and blackberry jelly, or apple and raspberry jelly, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they were composed wholly of apple and strawberry jelly, apple and cherry jelly, apple and blackberry jelly, or apple and raspberry jelly, as the case might be, whereas, in truth and in fact, they were not composed wholly of said ingredients but were composed in part of sugar pectin jellies. Misbranding was alleged for the further reason that the articles were mixtures composed in part of sugar pectin jellies, prepared in imitation of and offered for sale and sold under the distinctive names of other articles, to wit, apple and strawberry jelly, apple and cherry jelly, apple and blackberry jelly, or apple and raspberry jelly, as the case might be.

On April 24, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

**11487. Adulteration of shell eggs. U. S. v. 420 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16876. I. S. No. 3939-v. S. No. C-3807.)**

On or about September 20, 1922, 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 a libel praying the seizure and condemnation of 420 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by Peter Fox Sons Co., from Rollo, Mo., September 5, 1922, and transported from the State of Missouri into the State of Illinois, 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 part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On September 25, 1922, the Peter Fox Sons Co., Chicago, Ill., claimant, having admitted the material allegations of the libel and 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