

On February 4, 1925, the Douglas Packing Co., Rochester, N. Y., having appeared as claimant for the product and the cases having been consolidated into one action, judgment of the court was entered, finding the product misbranded and ordering its condemnation and forfeiture, and it was further 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 \$1,000, in conformity with section 10 of the act.

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

**13537. Adulteration and misbranding of strawberry preserves. U. S. v. 17 Cases and 7 Cases of Strawberry Preserves. Default decree of condemnation, forfeiture, and destruction. F. & D. Nos. 19822, 19823. I. S. Nos. 13416-v, 13805-v. S. Nos. E-5155, E-5156.)**

On February 20 and 21, 1925, respectively, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 24 cases of strawberry preserves, in part at Newark, N. J., and in part at Paterson, N. J., alleging that the article had been shipped by George S. Murphy, Inc., New York, N. Y., in two consignments, namely, on or about December 4, 1924, and December 23 (1924), respectively, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Honeydew Brand Pure Strawberry Preserves Contents 1 Lb. George S. Murphy Inc. New York."

Adulteration of the article was alleged in the libels for the reason that substances, pectin and sugar, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and for the further reason that a substance, an acidified compound pectin sugar and fruit preserve, had been substituted wholly and in part for the said article.

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

On June 22, 1925, 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.*

**13538. Misbranding and alleged adulteration of fruit jam. U. S. v. 34 Dozen Jars of Alleged Pure Fruit Jam With Apple Grape. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17713. I. S. No. 2759-v. S. No. E-4467.)**

On August 15, 1923, the United States attorney for the Middle District of Pennsylvania, 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 34 dozen jars of alleged pure fruit jam with apple grape, remaining in the original unbroken packages at Wilkes-Barre, Pa., alleging that the article had been shipped by the Paul Delaney Co., from Brocton, N. Y., on or about May 12, 1923, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Jar) "Pure Fruit Jam With Apple Grape Packed By The Paul Delaney Co. Inc. Brocton, N. Y."

Adulteration of the article was alleged in the libel for the reason that pectin had been mixed and packed therewith so as to reduce and injuriously affect its quality and strength and for the further reason that a mixture of pectin, sugar, and grape jam had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Pure Fruit Jam With Apple Grape," borne on the labels, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of or offered for sale under the distinctive name of another article.

On February 14, 1925, Williams Bros. & Co., Wilkes-Barre, Pa., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of the court was entered, finding the product misbranded