

Adulteration of the article was alleged in the libels for the reason that tomatoes with puree from trimmings had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Sugarland Brand Tomatoes Highest Quality," borne on the labels, was false and misleading and deceived and misled the purchaser.

On January 6 and 19, 1926, respectively, George W. Wilson Co., Inc., San Antonio, Tex., having appeared as claimant for the property and having consented to the entry of decrees, judgments of the court were entered, finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$3,250, conditioned in part that it not be sold or disposed of in violation of the law.

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

**14112. Adulteration of canned eggs. U. S. v. 1,341 Cans of Eggs, et al. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 20778, 20787, 20788, 20791. I. S. Nos. 1674-x, 1675-x, 12076-x to 12084-x, incl., 12086-x, 12087-x, 12088-x. S. Nos. C-4935 to C-4938, incl.)

On January 20 and 23, 1926, the United States attorney for the Northern District of Illinois, 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 1,341 cans of frozen whole eggs and 1,721 cans of frozen whole eggs, remaining in the original unbroken packages at Chicago Ill., alleging that the article had been shipped by R. W. Winsler, from Moravia, Iowa, between the dates of May 15 and October 28, 1925, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in substance in the libels for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On February 4, 1926, the cases having been consolidated into one cause of action and R. W. Winsler, Moravia, Iowa, claimant, having admitted the allegations of the libels 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 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, conditioned in part that it be salvaged under the supervision of this department and the bad portion denatured.

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

**14113. Adulteration and misbranding of assorted jellies. U. S. v. 99 Cases of Assorted Jellies. Consent decree of condemnation and forfeiture. Products released under bond.** (F. & D. No. 20095. I. S. Nos. 20397-v to 20401-v, incl. S. No. W-1718.)

On June 1, 1925, the United States attorney for the Northern District of California, 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 99 cases, each containing 48 jars, of assorted jellies, remaining in the original unbroken packages at San Francisco, Calif., alleging that the articles had been shipped by the Everett Fruit Products Co., from Everett, Wash., April 29, 1925, and transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: (Jar) "My-T-Fine Apple Strawberry" (or "Apple Raspberry" or "Apple Blackberry" or "Apple Loganberry" or "Apple") "Jelly Everett Fruit Products Co. Everett, Wash. 6 Ozs."

Adulteration was alleged in the libel with respect to the strawberry, raspberry, and loganberry flavored jellies for the reason that artificially colored and acidified apple pectin jellies had been substituted wholly or in part for the said articles. Adulteration was alleged with respect to the strawberry, raspberry, loganberry, and blackberry flavored jellies for the reason that they were colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statements "Apple Strawberry" (or "Apple Raspberry," "Apple Blackberry," "Apple Loganberry," as the case might be) "Jelly," "Apple Jelly," and "6 Ozs.," borne on the labels,