

were false and misleading and deceived and misled the purchaser, for the further reason that the articles were sold under the distinctive names of other articles, and for the further reason that they were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages. It was further alleged in the libel that the strawberry, raspberry, blackberry, and loganberry flavored jellies were misbranded in that they were imitations.

On June 29, 1925, the Everett Fruit Products Co., Everett, Wash., 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 products be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$316.80, conditioned in part that they be made to conform with the law under the supervision of this department.

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

14114. Adulteration of walnut meats. U. S. v. 50 Cases of Walnut Meats. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20793. I. S. No. 10456-x. S. No. W-1853.)

On January 26, 1926, the United States attorney for the District of Oregon, 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 50 cases of walnut meats, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by E. M. Hirschfelder, from Los Angeles, Calif., January 5, 1926, and transported from the State of California into the State of Oregon, 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 whole or in part of a filthy, decomposed, or putrid vegetable substance.

On or about February 12, 1926, the E. M. Hirschfelder Co. 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 the costs of the proceedings and the execution of a bond in the sum of \$600, conditioned in part that it not be sold or otherwise disposed of contrary to law.

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

14115. Adulteration and misbranding of evaporated apples. U. S. v. Kathleen Hamilton (A. C. Hamilton & Co.). Plea of guilty. Fine, \$40. (F. & D. No. 19740. I. S. Nos. 19970-v, 22652-v.)

On February 18, 1926, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Kathleen Hamilton, trading as A. C. Hamilton & Co., Fayetteville, Ark., alleging shipments by said defendant, in violation of the food and drugs act, on or about September 15, 1924, from the State of Arkansas into the State of Mississippi, of quantities of evaporated apples which were adulterated and misbranded. The article was labeled in part: (Box) "Evaporated Apples Mount Sequoyah Brand Packed By A. C. Hamilton & Co. Fayetteville, Ark."

Examination by the Bureau of Chemistry of this department of a sample of the article from each shipment showed 28.7 per cent and 30.7 per cent, respectively, of moisture.

Adulteration of the article was alleged in the information for the reason that water had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and for the further reason that excessive water had been substituted in part for evaporated apples, which the said article purported to be.

Misbranding was alleged for the reason that the statement "Evaporated Apples," borne on the label, was false and misleading, in that the said statement represented that the article consisted wholly of evaporated apples, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated apples, whereas it did not so consist but did consist in part of excessive water.

On February 19, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$40.

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