

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 animal substance.

Misbranding was alleged with respect to the Rita brand shrimp for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 13, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14283. Adulteration and misbranding of jams. U. S. v. 5 Cases of Raspberry Jam, et al. Products released under bond to be relabeled.
(F. & D. No. 20154. I. S. Nos. 14633-v, 14634-v. S. No. W-1731.)

On July 7, 1925, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 cases of raspberry jam and 6½ cases of strawberry jam, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the articles had been shipped by the San Francisco Warehouse Co., from San Francisco, Calif., on or about March 18, 1925, and transported from the State of California into the State of Utah, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: (Jar) "Oest's Pure Fruit Jam Raspberries" (or "Strawberries") "Apple Juice & Sugar * * * Oest Fruit Co. San Francisco, Cal."

Adulteration of the articles was alleged in the libel for the reason that a substance, apple juice and excessive sugar, had been mixed and packed therewith so as to reduce, lower, or injuriously affect their quality and strength, and for the further reason that a substance, compound jams consisting of apple juice, sugar, and fruit, had been substituted wholly or in part for the said articles.

Misbranding was alleged for the reason that the statements "Pure Fruit Jam Raspberries Apple Juice & Sugar" or "Strawberries Apple Juice & Sugar," borne on the labels, were false and misleading and deceived and misled the purchaser, and for the further reason that the articles were sold under the distinctive names of other articles.

On May 8, 1926, the Oest Fruit Co., San Francisco, Calif., having appeared as claimant, and having admitted the allegations of the libel, paid the costs of the proceedings, and executed a bond in the sum of \$200, in conformity with section 10 of the act, a decree was entered, finding the products adulterated and misbranded, and it was ordered by the court that the said products be released to the claimant for the purpose of reshipment to San Francisco, Calif., for relabeling under Government supervision.

W. M. JARDINE, *Secretary of Agriculture.*

14284. Misbranding of canned tomatoes. U. S. v. 599 Cases of Canned Tomatoes. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20817. I. S. No. 7168-x. S. No. E-5629.)

On or about February 8, 1926, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 599 cases of canned tomatoes, remaining in the original unbroken packages at Bridgeport, Conn., alleging that the article had been shipped by the Rehoboth Packing Co., Rehoboth, Del., on or about November 3, 1925, and transported from the State of Delaware into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Pride of Rehoboth Brand Tomatoes Contents 2 Lbs., 2 Ozs. Packed By The Rehoboth Packing Co. Rehoboth, Del."

Misbranding of the article was alleged in the libel for the reason that the statement upon the label, to wit, "Contents 2 Lbs., 2 Ozs.," was false and misleading and deceived and misled the purchaser, 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 March 16, 1926, Thomas Roberts & Co., Philadelphia, Pa., having appeared as claimant for the property, judgment of condemnation and for-

feiture 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 good and sufficient bond, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14285. Adulteration of canned frozen eggs. U. S. v. 300 30-Pound Cans of Frozen Mixed Eggs. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20922. I. S. No. 6199-x. S. No. E-5661.)

On March 11, 1926, the United States attorney for the Eastern 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 seizure and condemnation of 300 30-pound cans of frozen mixed eggs, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Swift & Co., alleging that the article had been shipped from Springfield, Mo., on or about May 18, 1925, and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Swift's Frozen Eggs * * * Swift & Company Chicago, U. S. A."

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

On May 6, 1926, A. F. Bickley & Son, Philadelphia, Pa., having appeared as claimant for the property, 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 \$2,500, conditioned in part that it be sorted under the supervision of this department and the portion unfit for food be denatured or destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14286. Adulteration of canned salmon. U. S. v. 328 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18427. I. S. Nos. 7066-v, 17687-v. S. No. C-4296.)

On February 28, 1924, the United States attorney for the Southern 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 seizure and condemnation of 328 cases of salmon, remaining unsold in the original unbroken packages at Peoria, Ill., consigned by F. C. Barnes Co., alleging that the article had been shipped from Seattle, Wash., on or about September 25, 1923, and transported from the State of Washington into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Navy Peak Brand Fancy Pink Salmon Packed For Burnett Inlet Packing Co. Burnett Inlet, Alaska."

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

On March 10, 1926, the Burnett Inlet Packing Co., Burnett Inlet, Alaska, claimant, having admitted the allegations of the libel 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 upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act, and it was further ordered that the said product be reshipped to Seattle, to be sorted, and that the good portion might be disposed of for human food and the remainder for chick or fox feed.

W. M. JARDINE, *Secretary of Agriculture.*

14287. Adulteration and misbranding of spirit nitrous ether. U. S. v. 3½ Gallons of Spirit Nitrous Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20971. I. S. No. 10245-x. S. No. C-5046.)

On March 26, 1926, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3½ gallons of spirit nitrous ether, at Lima, Ohio, alleging that the article had been shipped by the Felborn Pharmacal Co., Inc., Brooklyn, N. Y., on or about January 12, 1926, and transported from the State of New