

ported from the State of California into the State of Utah, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Order Sanitary Nut Shelling Co."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed vegetable substance, the excreta and other refuse of a large number of insects.

On May 19, 1923, no claimant having appeared for the property, judgment of the court was entered, finding the product adulterated and ordering its destruction by the United States marshal.

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

**14405. Misbranding of apple butter. U. S. v. 9 Cases of Apple Butter. Product ordered condemned and released under bond.** (F. & D. No. 19226. I. S. No. 20965-v. S. No. W-1617.)

On December 29, 1924, the United States attorney for the District of Arizona, 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 9 cases of apple butter, at Phoenix, Ariz., alleging that the article had been shipped by Haas, Baruch & Co., from Los Angeles, Calif., on or about October 17, 1924, and transported from the State of California into the State of Arizona, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Case) "4 Dozen 1-lb Tins Iris Brand Apple Butter Distributed by Haas Baruch & Co., Los Angeles, Calif.," (can) "Net Weight 1 pound."

Misbranding of the article was alleged in the libel for the reason that the designations "4 Dozen 1-lb. Tins Iris Brand Apple Butter Distributed by Haas Baruch & Co., Los Angeles, Calif." were false and misleading and deceived and misled the purchaser, in that the true net weight of the contents of the tins was less than 1 pound, 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 quantity stated was not correct.

On January 24, 1925, the product was ordered condemned, and it was further ordered by the court that it be delivered to the owner, Shaw Family Inc., upon execution of a bond in the sum of \$100, and payment of the costs of the proceedings.

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

**14406. Misbranding of peach and apricot jams. U. S. v. 110 Cases of Peach Jam and 21 Cases of Apricot Jam. Products ordered condemned and released under bond.** (F. & D. No. 19224. I. S. Nos. 20967-v, 20968-v. S. No. W-1618.)

On December 29, 1924, the United States attorney for the District of Arizona, 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 110 cases of peach jam and 21 cases of apricot jam, at Phoenix, Ariz., alleging that the articles had been shipped by the North Ontario Packing Co., Los Angeles, Calif., on or about July 3, 1924, and transported from the State of California into the State of Arizona, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled in part: (Case) "24 1-Lb. Tins-Glen-Rosa Peach" (or "Apricot") "Jam Manufactured by North Ontario Packing Company, Los Angeles, U. S. A.," (tin) "Net Contents 1 Lb."

It was alleged in the libel that the articles were misbranded, in that the statement "24 1-Lb. Tins," borne on the cases containing both products, and the statement "Net Contents 1 Lb.," borne on the tins containing both products, were false and misleading and deceived and misled the purchaser, and in 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.

On January 24, 1925, the Melcer Co., Phoenix, Ariz., having appeared as claimant for the property, the products were ordered condemned, and it was further ordered by the court that they be delivered to the said claimant upon execution of a bond in the sum of \$600, and payment of the costs of the proceedings.

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