

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.

On July 27, 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.*

14583. Adulteration and misbranding of crabapple jelly. U. S. v. 7 Cartons of Crabapple Jelly. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19576. I. S. No. 13421-v. S. No. E-5135.)

On or about February 16, 1925, the United States attorney for the District of New Jersey, 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 7 cartons of crabapple jelly, remaining unsold at Paterson, N. J., alleging that the article had been shipped by George S. Murphy, Inc., New York, N. Y., in part on or about June 20, 1924, and in part on or about July 10, 1924, 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 Pure Jelly * * * Crab Apple George S. Murphy, Inc. New York."

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

Misbranding was alleged for the reason that the statement "Honeydew Pure Jelly Crab Apple," together with a cut of various fruits, including apples, borne on the label, 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 August 18, 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.*

14584. Adulteration and misbranding of butter. U. S. v. 29 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20172. I. S. No. 17300-v. S. No. E-5360.)

On June 22, 1925, the United States attorney for the District of Maryland, 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 29 boxes of butter, remaining in the original unbroken packages at Baltimore, Md., consigned June 12, 1925, alleging that the article had been shipped by Fred C. Mansfield, from Chicago, Ill., and transported from the State of Illinois into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Parchment wrapper on print) "One Pound Net."

Adulteration of the article was alleged in the libel for the reason that a substance low in butterfat had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted wholly or in part for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article. Misbranding was alleged for the further reason that the statement "One Pound Net," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further 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 July 13, 1925, E. A. Waddington, jr., Baltimore, Md., having appeared as claimant for the property, judgment of condemnation 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 \$800, conditioned in part that it not be sold or disposed of until properly labeled, and inspected and approved by this department.

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