

substituted wholly or in part for the said articles, for the further reason that they had been mixed in a manner whereby damage or inferiority was concealed, and for the further reason that they contained an added poisonous or other added deleterious ingredient, to wit, saccharin, which might have rendered them injurious to health.

On November 15, 1926, the New Hartford Canning Co., New Hartford, N. Y., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were 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 bonds totaling \$1,075, conditioned in part that they be returned to New Hartford, N. Y., and not be sold or otherwise disposed of contrary to the Federal food and drugs act, or the laws of any State, Territory, District, or insular possession of the United States which prohibits the use of saccharin in products for human consumption.

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

**14766. Adulteration and misbranding of canned corn. U. S. v. 6¾ Cases of Canned Corn, et al. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 20661, 20822, 20824. I. S. Nos. 6983-x, 6987-x, 7916-x. S. Nos. E-5589, E-5631-a, E-5632-a.)

On November 25, 1925, and February 5, 1926, respectively, the United States attorney for the Middle District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 202¾ cases of canned corn, remaining in the original unbroken packages in part at Honesdale, Pa., and in part at Scranton, Pa., alleging that the article had been shipped by the New Hartford Canning Co., in part from Pennellville, N. Y., and in part from New Hartford, N. Y., on or about the respective dates of July 31 and November 19, 1925, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding with respect to a portion of the product, and adulteration with respect to the remainder in violation of the food and drugs act as amended. The article was labeled, variously: "Starlight Brand Extra Fancy Quality Golden Sweet Corn Contents 1 Lb. 4 Oz. New Hartford Canning Co. New Hartford, N. Y.;" "Knoxboro Brand Bantam Evergreen Corn \* \* \* Knoxboro Canning Co. Knoxboro, N. Y.;" "White Mountain Brand Bantam Evergreen Corn \* \* \* New Hartford Canning Co. New Hartford, \* \* \* N. Y."

Adulteration of the article was alleged in the libels for the reason that a substance, to wit, saccharin, had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article had been mixed in a manner whereby damage or inferiority was concealed, and for the further reason that it contained an added poisonous or other added deleterious ingredient, to wit, saccharin, which might have rendered it injurious to health.

Misbranding of the Starlight brand was alleged for the reason that the statement "Contents 1 Lb. 4 Oz.," 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 November 15, 1926, the New Hartford Canning Co., New Hartford, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of decrees, judgments of condemnation and forfeiture were 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 bonds totaling \$625, conditioned in part that it be returned to New Hartford, N. Y., and not be sold or otherwise disposed of contrary to the Federal food and drugs act, or the laws of any State, Territory, District, or insular possession of the United States which prohibits the use of saccharin in products for human consumption.

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