

16442. Adulteration and misbranding of strawberry and raspberry flavors. U. S. v. Sethness Co. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 22569. I. S. Nos. 14477-x, 14478-x.)

On September 10, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sethness Co., a corporation, Chicago, Ill., alleging shipment by said company under the name of the Sunlite Laboratories, in violation of the food and drugs act as amended, on or about August 24, 1927, from the State of Illinois into the State of Wisconsin, of quantities of strawberry and raspberry flavors which were adulterated and misbranded. The articles were labeled in part: (Jugs) "Super Concentrated Strawberry (or "Raspberry") Manufactured By Sunlite Laboratories, Chicago, Illinois."

It was alleged in the information that the articles were adulterated in that artificially flavored imitation products had been substituted for the said articles.

Misbranding was alleged for the reason that the statements, to wit, "Super Concentrated Strawberry" and "Super Concentrated Raspberry," borne on the labels of the respective products, were false and misleading in that the said statements represented that the articles consisted wholly of strawberry, or raspberry, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they consisted wholly of strawberry, or raspberry, as the case might be, whereas they did not so consist, but did consist in whole and in part of artificially flavored imitation products which contained little or no strawberry or raspberry. Misbranding was alleged for the further reason that the articles were artificially flavored products prepared in imitation of and offered for sale and sold under the distinctive names of other articles, namely, super concentrated strawberry and super concentrated raspberry. Misbranding was alleged for the further reason that the articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On May 1, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16443. Adulteration of dressed chickens. U. S. v. 4 Barrels, et al., of Dressed Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 23093, 23094. I. S. Nos. 01947, 01948. S. No. 1185.)

On or about September 22, 1928, the United States attorney for the Northern 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 8 barrels of dressed chickens, remaining in the original unbroken packages at Chicago, Ill., consigned by the R. E. Cobb Co., St. Paul, Minn., alleging that the article had been shipped in part from Litchfield, Minn., and in part from St. Paul, Minn., August 27, 1928, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It is alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it consisted in part of a diseased animal.

On March 19, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

14. Adulteration of canned sardines. U. S. v. 15 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23008. I. S. No. 02497. S. No. 1097.)

On or about September 7, 1928, the United States attorney for the Western District of Virginia, 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 15 cases of sardines, remaining in the original broken packages at Winchester, Va., alleging that the article had been shipped from the Ramsdell Packing Co., from Lubec, Me., August 11, 1928, and transported from the State of Maine into the State of Virginia, and charging adulteration in