

food and drugs act as amended. The said jelly was labeled in part: (Jars) "Merrifield's Net Weight 8 Oz. Strawberry Jelly * * * C. R. Merrifield & Co., Seattle, Wash." The said preserves were labeled in part: (Glasses) "Merro Brand Net Weight 8 Oz. Raspberry (or "Blackberry" or "Loganberry") Preserves Apple Base Manufactured by C. R. Merrifield & Co., Seattle, Wash."

It was alleged in the libel that the strawberry jelly was adulterated in that a substance deficient in fruit juice had been mixed and packed with and substituted in part for strawberry jelly, which the article purported to be.

Misbranding of the strawberry jelly was alleged for the reason that the statements "Strawberry Jelly" and "Absolutely Pure" were false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article. Misbranding was alleged with respect to all products for the reason that the statement "Net Weight 8 Oz.," borne on the label, was false and misleading and deceived and misled the purchaser, and 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, since the quantity stated was not correct.

On June 17, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the United States marshal destroy or distribute the products to charitable institutions.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16481. Adulteration of mushrooms. U. S. v. 50 Cases of Mushrooms. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23676. I. S. No. 03026. S. No. 1834.)

On April 30, 1929, 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 50 cases of mushrooms at Jersey City, N. J., alleging that the article had been imported from Riga, Latvia, into the State of New Jersey, on or about February 29, 1928, having been shipped by the Centrosojus Trading Co., Riga, Latvia, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On June 21, 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.*

16482. Adulteration of raisins. U. S. v. A. W. Walsh Co. Plea of guilty. Fine, \$100. (F. & D. No. 23739. I. S. No. 25959-x.)

On June 24, 1929, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against A. W. Walsh Co., a corporation, Kalamazoo, Mich., alleging shipment by said company, in violation of the food and drugs act, on or about May 15, 1928, from the State of Michigan into the State of Illinois, of a quantity of raisins which were adulterated.

It was alleged in the information that the article was adulterated in that it consisted in part of filthy, decomposed, and putrid vegetable and animal substances.

On June 28, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16483. Adulteration and misbranding of chocolate pralines. U. S. v. 30 Boxes of Chocolate Pralines. Default decree of condemnation, forfeiture, and destruction. (F. D. No. 23677. I. S. No. 03042. S. No. 1925.)

On May 3, 1929, 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 30 boxes of chocolate pralines, remaining in the original unbroken packages

at Stamford, Conn., alleging that the article had been shipped by the Aliko Candy Co., from New York, N. Y., on or about April 3, 1929, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Aliko Chocolate Pralines Liquid Filled with Port Wine, Sherry Wine, Rum, Kummel, Creme de Menthe, Flavoring, Mfgd. under Prohibition Permit N. Y. * * * For Aliko Chocolate Co., Inc., New York, N. Y."

It was alleged in the libel that the article was adulterated in violation of section 7 of the act, in the case of confectionery, in that it contained vinous or spirituous liquor or compound.

Misbranding was alleged for the reason that the statement "Chocolate Pralines," borne on the label, was false and misleading and deceived and misled the purchaser. Misbranding was alleged 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 packages.

On June 6, 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.*

16484. Adulteration of butter. U. S. v. North American Creamery Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 23711. I. S. No. 21689-x.)

On May 28, 1929, the United States attorney for the District of Minnesota, 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 North American Creamery Co., a corporation, Paynesville, Minn., alleging shipment by said company, in violation of the food and drugs act, on or about February 27, 1928, from the State of Minnesota into the State of Massachusetts, of a quantity of butter which was adulterated.

It was alleged in the libel that the article was adulterated in that a product which contained less than 80 per cent by weight of milk fat had been substituted 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, which the said article purported to be.

On May 28, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16485. Adulteration of fig bars. U. S. v. 17 Cases of Tru Blu fig bars. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos 22461, 22462. I. S. Nos. 13239-x, 13243-x. S. No. 572.)

On February 15, 1928, the United States attorney for the District of Idaho, 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 17 cases of Tru-Blu fig bars, remaining in the original unbroken packages, in part at Pocatello, Idaho, and in part at Idaho Falls, Idaho, alleging that the article had been shipped by the Tru Blu Biscuit Co., Spokane, Wash., on or about January 16, 1928, and transported from the State of Washington into the State of Idaho, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Tru-Blu Fig Bars, Tru-Blu Biscuit Co., Spokane and Portland."

It was alleged in the libel that the article was adulterated in that the said fig bars were wormy, filthy, decomposed, and putrid.

On July 11, 1928, 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.*

16486. Adulteration and misbranding of apple jelly. U. S. v. 23 Cans of Apple Jelly. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23320. I. S. No. 02421. S. No. 1432.)

On January 11, 1929, the United States attorney for the District of Maine, 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 23 cans of apple jelly, remaining in the original unbroken packages at Fairfield, Me., consigned by A. T. Bridges Co. (Inc.), Boston,