On May 22, 1933, no claimant having appeared for the property, judgment of forfeiture was entered and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21070. Adulteration of strawberry preserves. U. S. v. 87 Cases of Strawberry Preserves. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29914. Sample no. 22951-A.)

This case involved a quantity of strawberry preserves that were in part moldy.

On March 7, 1933, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 87 cases of strawberry preserves at San Francisco, Calif., alleging that the article had been shipped in interstate commerce by F. G. Ewing Co., from Seattle, Wash., having been consigned on or about January 14, 1933, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Jars) "Sun Blest A Sun Blessed Product Extra Fancy Pure Strawberry Preserves."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On April 27, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21071. Adulteration and misbranding of jellies. U. S. v. 40 Cases of Jelly. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29919. Sample nos. 26444-A, 26445-A, 26446-A.)

This case involved an interstate shipment of variously flavored jellies. Examination showed that certain of the products consisted of artificially colored and artificially flavored imitation jellies.

On March 9, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 40 cases of assorted jellies at Baltimore, Md., alleging that the articles had been shipped in interstate commerce, on or about November 11, 1932, and January 6, 1933, by the Waynesboro Fruit Exchange, from Waynesboro, Pa., and charging that the currant-, raspberry-, and strawberry-flavored jellies were adulterated and misbranded in violation of the Food and Drugs Act. The articles were labeled in part: "Eclipse Brand * * * Apple Jelly, Waynesboro Fruit Exchange, Waynesboro, Pa." Certain of the jellies were further labeled: "Currant [or "Raspberry" or "Strawberry"] Flavored Artificially Colored."

It was alleged in the libel that the currant-, raspberry-, and strawberry-flavored jellies were adulterated in that artificially flavored and artificially colored imitation jellies had been substituted for the said articles. Adulteration was alleged for the further reason that the articles had been colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statements on the labels, "Apple Jelly Currant Flavored", "Apple Jelly Raspberry Flavored", and "Apple Jelly Strawberry Flavored", were false and misleading and deceived and misled the purchaser, when applied to artificially colored and artificially flavored imitation jellies. Misbranding was alleged for the further reason that the articles were imitations of and offered for sale under the distinctive names of other articles.

On June 15, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21072. Misbranding of canned tomato juice. U. S. v. 92 Cases of Tomato Juice. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 29840. Sample no. 32784-A.)

This case involved a shipment of canned tomato juice, sample cans of which were found to contain less than the volume declared on the label.

On February 10, 1933, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the