

12612. Adulteration and misbranding of jellies. U. S. v. 6 Cases of Assorted Jellies. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18717. I. S. Nos. 12627-v, 12628-v, 12629-v, 12630-v. S. No. E-4857.)

On June 10, 1924, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 6 cases of assorted jellies, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped from Norfolk, Va., on or about May 19, 1924, and transported from the State of Virginia into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Jar) "Hamilton's Quality Products Phila. Pa. 8 Oz." (rubber stamp "7 Oz.") "Net Avd. Pure Apple Jelly" (or "Pure Grape Jelly Pectin Base," or "Pure Strawberry Jelly Pectin Base," or "Pure Currant Jelly Pectin Base").

Adulteration of the article was alleged in the libel for the reason that a substance deficient in fruit and containing added pectin 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 the said article.

Misbranding was alleged for the reason that the retail packages in which the article was enclosed contained labels, which bore statements, regarding the said article and the ingredients and substances contained therein, which were false and misleading in that the said statements represented that the packages contained "Quality Products * * * Pure Apple Jelly," "Grape Jelly," "Strawberry Jelly," or "Currant Jelly," as the case might be, when in fact they did not.

On June 30, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture.*

12613. Adulteration of frozen egg yolks and frozen mixed eggs. U. S. v. 96 Tins of Frozen Egg Yolks and 1,103 Tins of Frozen Mixed Eggs. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 18481, 18482. I. S. Nos. 13139-v, 13140-v. S. No. E-4776.)

On March 10, 1924, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 96 tins of frozen egg yolks and 1,103 tins of frozen mixed eggs, remaining in the original unbroken packages at New York, N. Y., alleging that the articles had been shipped by the Louisville Provision Co., Inc., from Louisville, Ky., January 9, 1924, and transported from the State of Kentucky into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the articles was alleged in the libels for the reason that they consisted in part of filthy, decomposed, and putrid animal substances.

On July 30, 1924, the Louisville Provision Co., Louisville, Ky., claimant, having admitted the allegations of the libels and 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 in the aggregate sum of \$8,000, in conformity with section 10 of the act, conditioned in part that the good portion be separated from the bad portion, under the supervision of this department, and the bad portion destroyed or denatured.

HOWARD M. GORE, *Secretary of Agriculture.*

12614. Misbranding of butter. U. S. v. The Northern Colorado Dairy Co., a Corporation. Plea of guilty. Fine, \$30 and costs. (F. & D. No. 18586. I. S. No. 11340-v.)

On June 20, 1924, the United States attorney for the District of Colorado, 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 Northern Colorado Dairy Co., a corporation, Brighton, Colo., alleging shipment by said company, in violation of the food and drugs act as amended, on or about December 10, 1923, from the State of Colorado into the State of Texas, of a quantity of butter which was misbranded. The article was labeled in part: (Carton) "One Lb. Net Wt. Circle Seal Brand Fancy Creamery Butter."