Misbranding was alleged for the reason that the article, purporting to be butter and offered for sale as such, was in fact an imitation.

On December 7, 1922, Michael F. Donahue, Essex, Vt., having entered an appearance as claimant for the property and having filed a bond in the sum of $1,000, in conformity with section 10 of the act, conditioned in part that the product be properly branded, it was ordered by the court that the bond be approved and that the said product be released to the claimant upon payment of the costs of the proceedings.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11282. Adulteration and misbranding of raspberry sirup. U. S. v. The Swedish Produce Co., a Corporation. Plea of guilty. Fine, $50.** (F. & D. No. 15270. I. S. No. 10288-t.)

On January 25, 1922, 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 Swedish Produce Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 16, 1920, from the State of Illinois into the State of Colorado, of a quantity of raspberry sirup which was adulterated and misbranded. The article was labeled in part: "Linnea The S P Co Hallon Saft * * * Raspberry Syrup * * * Distributed by The Swedish Produce Co. 657 W. Lake St., Chicago, Ill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a highly flavored, artificially colored sirup, containing a small amount of natural fruit juice, probably approximating 10 to 15 per cent.

Adulteration of the article was alleged in the information for the reason that an artificially flavored and artificially colored product had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in large part for raspberry sirup, which the said article purported to be. Adulteration was alleged for the further reason that the article was a product inferior to raspberry sirup, to wit, a mixture which contained proportionally a small amount of natural fruit juice, to wit, approximately 15 per cent of natural fruit juice, and was artificially flavored and artificially colored so as to simulate the taste and appearance of raspberry sirup and in a manner whereby its inferiority to raspberry sirup was concealed.

Misbranding was alleged for the reason that the statement, to wit, "Raspberry Syrup," borne on the labels attached to the bottles containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article consisted wholly of raspberry sirup, and for the further reason that it was labeled so as to deceive and mislead the purchaser into the belief that it consisted wholly of raspberry sirup, whereas, in truth and in fact, it did not so consist, but did consist of an artificially flavored and artificially colored mixture which contained a small amount of natural fruit juice.

On January 24, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11283. Adulteration and misbranding of chocolate coating. U. S. v. 20 Cases of Chocolate Coating. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 15328. I. S. No. 10900-t. S. No. W-1008.)

On August 19, 1921, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases of chocolate coating, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Washington Chocolate Co., Seattle, Wash., alleging that the article had been shipped from Seattle, Wash., February 15, 1921, and transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Washington Chocolate Co. Seattle Manufacturers of Cocoa and Chocolate. Seattle, Washington, U. S. A. E-Z-Kote Special."

Adulteration of the article was alleged in the libel for the reason that excessive cocoa shells and starch had been mixed and packed with and substi-

tuted wholly or in part for the said article, and for the further reason that it had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, 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 2, 1921, the Washington Chocolate Co., Seattle, Wash., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was 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 a bond in the sum of $1,200, in conformity with section 10 of the act, conditioned in part that it be relabeled "Sweet Chocolate Coating Containing Corn Starch and Excessive Cocoa Shells," that the net weight of the contents of the box be placed on the outside thereof, and that each individual cake be labeled "Net Weight 10 Lbs."

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11284. Misbranding of grape jam. U. S. v. 7 Cases, et al., of Grape Jam. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos 15657, 15659, 15660. I. S. Nos. 15538–t, 15551–t, 15552–t. S. Nos. E–3758, E–3768, E–3769.)

On February 8 and 10, 1922, respectively, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 81 cases of grape jam, remaining unsold in the original unbroken packages in various lots, namely, at Paterson, Jersey City, and Newark, N. J., respectively, alleging that the article had been shipped by the Schühle's Pure Grape Juice Co., Highland, N. Y., between the dates of September 1 and October 3, 1921, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Schühle's Pronounced Sheeley's Grape Jam Net Weight 1 Pound * * * Schühle's Pure Grape Juice Co. Inc. Highland, Ulster Co. N. Y."

Misbranding of the article was alleged in the libels for the reason that the statement, to wit, "Net Weight 1 Pound," borne on the jars containing the article, regarding the net weight thereof, was false and misleading in that it represented the net weight of the article contained in the said jars to be one pound, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said jars each contained one pound net of the article, whereas, in truth and in fact, the said jars did not each contain one pound of the said article, but did contain less than one pound. 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 package, since the stated weight, to wit, "Net Weight 1 Pound," was incorrect and represented more than the actual contents of the package.

On August 24, 1922, the Schühle's Grape Juice Co., Inc., Highland, N. Y., claimant, 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 in the aggregate sum of $1,500, conditioned in part that it be rebranded and properly marked On January 6, 1923, the product was released under bond.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11285 (supplement to N. J. 10377). Adulteration and misbranding of salmon. U. S. v. 111 Cases of Salmon. Tried to the court. Decree of condemnation, forfeiture, and destruction.** (F. & D. No. 15861. I. S. No. 11991–t. S. No. C–3382.)

I. S. No. 11991–t. S. No. C–3382.)

On November 8, 1922, the United States attorney for the Northern District of Mississippi filed in the District Court of the United States for said district a libel alleging that on December 22, 1921, a libel was filed praying the seizure and condemnation of 900 cases of canned salmon, theretofore shipped in interstate commerce in violation of the Food and Drugs Act, that on April 2, 1922, a decree of the court was entered ordering the condemnation and destruction of the said 900 cases of the product, that on May 5, 1922, the marshal returned a writ to the effect that the product had been destroyed, and that thereafter an agent of the Bureau of Investigation, Department of Justice,