

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,