

14807. Adulteration and misbranding of macaroni. U. S. v. 245 Cases of Alimentary Paste, et al. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21220, 21221, 21222, 21223. I. S. Nos. 13406-x, 13421-x, 13417-x, 13655-x. S. Nos. E-5828, E-5839, E-5845, E-5848.)

On August 10, 1926, 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 libels praying seizure and condemnation of 245 cases of alimentary paste and 153 cases of macaroni, remaining in the original unbroken packages in various lots at Waterbury, Hartford, New Haven, and Stamford, Conn., respectively, alleging that the article had been shipped by the Ronzoni Macaroni Co., Inc., Long Island City, N. Y., between the approximate dates of May 24 and July 21, 1926, 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. The article was labeled in part: "Alimentary Paste Superior Quality Emanuele Ronzoni Brand Macaroni * * * Ronzoni Macaroni Co., Inc. Artificially Colored."

Adulteration of the article was alleged in the libels for the reason that it was colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the article was an imitation of another article.

On December 16, 1926, the Ronzoni Macaroni Co., Inc., Long Island City, N. Y., claimant, having admitted the allegations of the libels and 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 totaling \$900, conditioned in part that it be relabeled to bear the statement, "Imitation Egg Paste Artificially Colored and Contains No Eggs."

W. M. JARDINE, *Secretary of Agriculture.*

14808. Adulteration and misbranding of canned clams. U. S. v. 3 Cases of Canned Clams. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 20289. I. S. No. 6832-x. S. No. E-5442.)

On or about August 11, 1925, 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 3 cases of canned clams, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by the Hinkley-Stevens Co., Columbia Falls, Me., on or about April 29, 1925, and transported from the State of Maine 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: (Can) "Clams Contents 5 Oz.," together with a cut showing clams in the shell.

Adulteration of the article was alleged in the libel for the reason that a substance, excessive brine, had been substituted in part for the said article and had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the statement "Clams Contents 5 Oz.," together with the cut of clams in the shell borne on the label, was false and misleading and deceived and misled the purchaser, 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 December 20, 1926, the owner of the property 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 destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14809. Adulteration of walnuts. U. S. v. 300 Bags of Walnuts. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21404. I. S. No. 12465-x. S. No. C-5268.)

On November 22, 1926, 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 a libel praying seizure and condemnation of 300 bags of walnuts, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by R. M. Helfend, Detroit, Mich., September 29, 1926, and transported from the State of Michigan