13497. Adulteration and misbranding of jams, jelly, and preserves. U. S. v. F. P. Adams Co., Inc. Plea of nolo contendere. Fine, $50. (F. & D. No. 19308. I. S. Nos. 15362-v, 15363-v, 15365-v, 15366-v, 15372-v, 15373-v.)

On April 8, 1925, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against F. P. Adams Co. (Inc.), a corporation, Boston, Mass., alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about November 12, 16, and 22, 1923, respectively, from the State of Massachusetts into the State of Rhode Island, of quantities of jams and jelly, and on or about December 2, 1923, from the State of Massachusetts into the State of New Hampshire, of quantities of preserves, all of which were adulterated and misbranded. The articles were labeled, variously, in part: "Pure Strawberry" (or "Raspberry") "Jam Prepared From Selected Fruit And Refined Sugar Manufactured By F. P. Adams Co. Inc. Boston, U. S. A."; "Pure Apple Jelly"; and "Pure Food Strawberry" (or "Raspberry") "Preserve Made From Selected Fruit and Refined Sugar."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they were composed in part of glucose and added pectin.

Adulteration of the articles was alleged in the information for the reason that glucose pectin fruit products had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength and had been substituted for the said articles.

Misbranding was alleged for the reason that the statements, to wit, "Pure Strawberry" (or "Raspberry") "Jam Prepared From Selected Fruit And Refined Sugar," with respect to the said jams, "Pure Apple Jelly," with respect to the said jelly, and "Pure Strawberry" (or "Raspberry") "Preserve Made From Selected Fruit and Refined Sugar," with respect to the said preserves, borne on the respective labels, were false and misleading, in that the said statements represented that the articles were pure strawberry or raspberry jams or preserves, made from selected fruit and refined sugar, or pure apple jelly, as the case might be, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they were pure strawberry or raspberry jams or preserves, made from selected fruit and refined sugar, or pure apple jelly, as the case might be, whereas they were not but were mixtures composed in part of glucose and added pectin.

On April 27, 1925, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of $50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13498. Adulteration and misbranding of assorted preserves. U. S. v. 89 Cases and 91 Cases of Preserves. Consent decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 19528. I. S. Nos. 23159-v to 23163-v, incl. S. No. C-4620.)

On January 26, 1925, the United States attorney for the District of Kansas, 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 180 cases of assorted preserves, remaining in the original unbroken packages at Wichita, Kans., alleging that the articles had been shipped by the Goodwin Preserving Co., from Louisville, Ky., on or about October 28, 1924, and transported from the State of Kentucky into the State of Kansas, and charging adulteration and misbranding in violation of the food and drugs act as amended. The articles were labeled in part: (Jar) "O B Brand Cherry" (or "Strawberry" or "Raspberry" or "Blackberry" or "Peach" or "Pineapple") "Preserves With Apple Pectin Contents 2 Lbs., 12 Ozs." (or "Contents 14½ ozs.") "Goodwin Preserving Co. Incorporated Louisville, Ky. U. S. A."

Adulteration of the articles was alleged in the libel for the reason that an acidified compound, cherry (or strawberry, raspberry, blackberry, peach, or pineapple, as the case might be) and pectin preserve, had been mixed and packed therewith so as to reduce, lower, or injuriously affect their quality or strength and had been substituted wholly or in part for the said articles.

Misbranding was alleged in substance for the reason that the statements "Strawberry" (or "Cherry" or "Raspberry" or "Blackberry" or "Peach" or "Pineapple", as the case might be) "preserves," borne on the labels, were false and misleading and deceived and misled the purchaser, and the said statements were not corrected by the inconspicuous statement "Apple Pectin." Misbranding was alleged for the further reason that the articles were imita-