13513. Adulteration and misbranding of apple pectin assorted jellies. U. S. v. 49 Cases of Apple Pectin Assorted Jellies. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19956. I. S. Nos. 14104-v to 14109-v, incl. S. No. E-5196.)

On April 3, 1925, the United States attorney for the District of New Jersey, 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 49 cases of apple pectin assorted jellies, at Trenton, N. J., alleging that the articles had been shipped by the Colonial Preserve Co., Philadelphia, Pa., on or about February 18, 1925, and transported from the State of Pennsylvania into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: (Carton) "Mother Cook Brand Jelly"; (carton and retail jar) "Colonial Preserve Co. Philadelphia."

Adulteration of the articles was alleged in the libel for the reason that substances, colored pectin jellies, had been mixed and packed therewith so as to reduce, lower, and injuriously affect their quality and strength and had been substituted wholly and in part for the said articles.

Misbranding was alleged for the reason that the statements "Apple Pectin Plum Jelly," "Apple Pectin Strawberry Jelly," "Apple Pectin Raspberry Jelly," "Apple Pectin Blackberry Jelly," "Apple Pectin Grape Jelly," and "Apple Pectin Currant Jelly," borne on the labels of the retail jars containing the respective articles, and the statement "Jelly," borne on the cartons, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were imitations of and offered for sale under the distinctive names of other articles.

On June 22, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13514. Adulteration and misbranding of candy. U. S. v. 30 Boxes of Candy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19203. I. S. No. 14023-v. S. No. E-5024.)

On or about November 28, 1924, the United States attorney for the District of New Jersey, 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 30 boxes of candy, at Elizabeth, N. J., alleging that the article had been shipped by the Sphinx Chocolate Corp., Brooklyn, N. Y., on or about October 17, 1924, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Box) "Sphinx 210 Milk Chocolate Decorated Pineapples 5 Lbs. M'f'd By Sphinx Chocolate Corp. Brooklyn, N. Y."; (placard inside and on top of box) "Beware Of Imitations Insist on getting the original Pure Milk Chocolate Pineapples Sphinx * * * In The Wooden Box Originated by Sphinx Chocolate Corp., Brooklyn, N. Y."

Adulteration of the article was alleged in the libel for the reason that a substance, pineapple cores bearing a coating deficient in milk solids, 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 in substance for the reason that the statement "Milk Chocolate Pineapples" and cut of a whole pineapple and cross section of a pineapple, borne on the box, and the statements "Beware Of Imitations Insist on getting the original Pure Milk Chocolate Pineapples," borne on the said placard, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On June 22, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*