14258. Misbranding of salad oil. U. S. v. 444 Cartons and 28 Cartons of Salad Oil. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20501. I. S. Nos. 6869–x, 6870–x. S. No. E–5521.)

On October 14, 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 472 cartons of salad oil, remaining unsold in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by the Reliable Importing Co., Brooklyn, N. Y., on or about September 17, 1925, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Contadina Brand Superior Quality Oil Pure Vegetable Salad Oil 0.98 Of One Gallon Or 7½ Lbs. Net" (or "0.98 Of ¼ Gallon Or 1⅞ Lbs. Net," as the case might be).

Misbranding of the article was alleged in the libel for the reason that the statements borne on the labels of the said cartons, to wit, "0.98 Of One Gallon Or 7½ Lbs. Net" and "0.98 Of ¼ Gallon Or 1⅞ Lbs. Net," as the case might be, were false and misleading and deceived and misled the purchaser, and 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 packages, since the statements made were not correct.

On November 18, 1925, the Reliable Importing Co., Brooklyn, N. Y., having appeared as claimant for the property, 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 $5,225, conditioned in part that the product be recanned, and relabeled to show the true volume thereof, to wit, "Net Contents One Full Gallon" or "Net Contents One Quarter Gallon," as the case might be.

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14259. Adulteration and misbranding of grape jelly and currant jelly. U. S. v. 4,800 Tumblers of Grape Jelly and 2,400 Tumblers of Currant Jelly. Consent decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 21034. I. S. Nos. 8188–x, 8189–x. S. No. E–5753.)

On April 26, 1926, the United States attorney for the Southern District of New York, 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 4,800 tumblers of grape jelly and 2,400 tumblers of currant jelly, remaining unsold at Yonkers, N. Y., alleging that the articles had been shipped by Richard Brinkman, from Jersey City, N. J., on or about April 10, 1926, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: (Tumbler) "Mrs. Brinkman's Pure Home Made Grape" (or "Currant") "Jelly."

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

Misbranding was alleged for the reason that the statements "Pure * * * Grape Jelly" and "Pure * * * Currant Jelly," borne on the respective labels, were false and misleading and deceived and misled the purchaser, and for the further reason that the articles were offered for sale under the distinctive names of other articles.

On May 18, 1926, Richard Brinkman, Jersey City, N. J., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $1,000, conditioned in part that they be relabeled: "Mrs. Brinkman's Home Made Style Apple Pectin Grape Jelly" (or "Currant Jelly," as the case might be).

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