

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On May 29, 1936, W. R. Gilbert Co., Inc., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation was entered and it was ordered that the article be released under bond conditioned that it be reconditioned.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26245. Adulteration and misbranding of preserves. U. S. v. 20, 21 and 18 Jars of Preserves. Default decree of condemnation. Product turned over to a charitable institution. (F. & D. no. 37733. Sample nos. 62896-B, 62897-B, 62898-B.)

This case involved preserves that contained less fruit and more sugar than standard preserves and contained added water which should have been boiled off. The apricot preserves contained added acid and pectin.

On May 13, 1936, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 59 jars of alleged preserves at Washington, D. C., alleging that the articles had been shipped in interstate commerce on or about December 13, 1935, and April 10, 1936, by Crosse & Blackwell Co., from Baltimore, Md., and charging adulteration and misbranding in violation of the Food and Drugs Act. The preserves were variously labeled in part: "Crosse and Blackwell Pure Gooseberry [or "Pure Apricot" or "Pure Plum"] Preserves * * * Crosse and Blackwell, Baltimore, New York, London."

The articles were alleged to be adulterated in that sugar and water, in the case of the gooseberry and plum preserves, and sugar, water, added acid, and pectin, in the case of the apricot preserves, had been mixed and packed with the articles so as to reduce or lower their quality; in that mixtures of fruit, sugar, and water, containing less fruit and more sugar than preserves should contain, the apricot preserves containing added acid and pectin, had been substituted for preserves; and in that the articles had been mixed in a manner whereby inferiority was concealed.

The articles were alleged to be misbranded in that the statements on the labels, "Pure Gooseberry Preserves", "Pure Plum Preserves", and "Pure Apricot Preserves", were false and misleading and tended to deceive and mislead the purchaser when applied to products resembling preserves but which contained less fruit than preserves should contain; and in that they were imitations of and were offered for sale under the distinctive names of other articles.

On August 11, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be turned over to a charitable institution for its use and not for sale.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26246. Adulteration of wine. U. S. v. 7 Cases of Wine. Default decree of condemnation and destruction. (F. & D. no. 37734. Sample no. 55716-B.)

This case involved wine that contained an excessive amount of fluorine.

On May 14, 1936, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of seven cases of wine at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about February 8, 1936, by Dyson Shipping Co., Inc., from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Lyons * * * California Sauterne Wine The E. G. Lyons and Raas Co. San Francisco."

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, to wit, fluorine, which might render the article injurious to health.

On August 17, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26247. Adulteration of flour, wheat bran, and corn meal. U. S. v. 40½-Barrel Sacks of Flood-Damaged Flour (and other products). Default decree of condemnation and destruction. (F. & D. no. 37735. Sample no. 61880-B.)

This case involved flour, wheat bran, and corn meal that were badly damaged by flood water and were moldy.