

On November 25, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 26, 1914.*

3197. Adulteration of chestnuts. U. S. v. 3 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5366. S. No. 1974.)

On October 27, 1913, 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 a libel for the seizure and condemnation of 3 bags of chestnuts, remaining unsold in the original unbroken packages and in possession of James W. Beasley, Washington, D. C., alleging that the product had been transported from the State of Virginia into the District of Columbia, and charging adulteration in violation of the Food and Drugs Act. Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal or vegetable substance, for which reasons the chestnuts were absolutely unfit for human consumption.

On November 17, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 26, 1914.*

3198. Adulteration of chestnuts. U. S. v. 5 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5367. S. No. 1973.)

On October 27, 1913, 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 a libel for the seizure and condemnation of 5 bags of chestnuts, remaining unsold in the original unbroken packages and in possession of David W. Ballinger, Washington, D. C., alleging that the product had been transported from the State of North Carolina into the District of Columbia, and charging adulteration in violation of the Food and Drugs Act. Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal or vegetable substance, for which reasons the chestnuts were absolutely unfit for human consumption.

On November 17, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 26, 1914.*

3199. Adulteration of peaches. U. S. v. 114 Cases of Peaches. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5368. S. No. 1966.)

On October 23, 1913, the United States Attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases, each containing 1 dozen No. 10 cans of peaches, remaining unsold in the original unbroken packages at New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. Two hundred

of the cases and the cans therein were labeled: "Chelan Brand yellow free peaches—Standards—packed in water—empty contents as soon as opened—Contents 6 lb. 4 oz. packed by Wenatchee Ice Cold Storage and Canning Co., Wenatchee, Wash." The other 200 cases and cans were labeled: "Columbia River Brand peeled peaches—contents—6 lb. 4 oz. packed in water, empty contents as soon as opened, packed by Wenatchee Ice Cold Storage and Canning Co., Wenatchee, Wash."

It was alleged in the libel that when the cases arrived at their destination the same were found to be in a state of fermentation and a number of the cans in a bursting, leaking, and swollen condition, and that on examination made by the inspector of the Department of Agriculture, 117 cases of said peaches and the cans in said cases were found to be unfit for food, and, being a decomposed vegetable substance, the same were adulterated and subject to condemnation and destruction under the terms and within the meaning and intent of the act of Congress approved June 30, 1906, known as the Food and Drugs Act and especially within the meaning of paragraph 6 of section 7 thereof.

On November 25, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the 114 cases of the product which had been seized should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 26, 1914.*

3200. Adulteration and misbranding of oil of birch. U. S. v. 2 Packages of Oil of Birch. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5370. S. No. 1970.)

On October 25, 1913, 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 for the seizure and condemnation of 2 packages, containing approximately 118 pounds of a product purporting to be oil of birch, remaining unsold in the original unbroken packages and in possession of J. H. Bowne, New York, N. Y., alleging that the product had been shipped on or about October 10, 1913, by Holman Bros., Crandall, Tenn., or Mountain City, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product bore no marks or labels except the name and address of the consignee and express data, but was invoiced as birch oil.

Adulteration of the product was alleged in the libel for the reason that it was offered for sale as oil of birch, when, in fact, it consisted largely of methyl salicylate, which was substituted for the pure oil. Misbranding was alleged for the reason that the product was offered for sale and invoiced by the shipper as birch oil, whereas, in truth and in fact, it consisted largely of methyl salicylate, which was substituted for the pure oil.

On January 6, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 26, 1914.*