

**7214. Adulteration of oranges. U. S. \* \* \* v. 353 Cases of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 9911. I. S. Nos. 14385-r, 14387-r. S. No. E-1261.)

On March 13, 1919, 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 353 cases of oranges, consigned on February 20, 1919, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the California Fruit Growers Exchange, Riverside, Cal., and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "W. Navels Square Brand Orchard Run La Mesa Packing Co., Riverside, Riverside Co., California."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance.

On March 24, 1919, the Riverside Fruit Exchange, Riverside, Cal., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned that the product should be utilized solely for the manufacture of jelly and marmalade.

E. D. BALL, *Acting Secretary of Agriculture.*

**7215. Adulteration of oranges. U. S. \* \* \* v. 462 Boxes, 448 Boxes, 448 Boxes, and 462 Boxes of oranges. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed.** (F. & D. Nos. 9912, 9913, 9916, 9917. I. S. Nos. 13411-r, 13414-r, 13418-r, 13419-r, 13420-r, 13415-r, 13416-r, 13417-r. S. Nos. E-1262, E-1263, E-1265, E-1266.)

On March 13, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 462 boxes, 448 boxes, 448 boxes, and 462 boxes of oranges, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about February 24, 1919, February 26, 1919 (2 shipments), and February 27, 1919, by Cleghorn Bros., Highland, Calif., and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance unfit for human food.

On March 17, 1919, D. Kellerman, Pittsburgh, Pa., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act, conditioned in part that the article be sorted under the supervision of a representative of this department, the portion found fit for human food to be released to said claimant and the unfit portion destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

**7216. Misbranding of cheese. U. S. \* \* \* v. 54 Cartons of Cheese. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 9915. I. S. Nos. 8807-r, 8810-r, 8811-r, 8813-r, 8814-r. S. No. C-1106.)

On March 19, 1919, the United States attorney for the Eastern District of Wisconsin, 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 54 cartons of cheese, remaining unsold in the original unbroken packages at Milwaukee, Wis.,

alleging that the article had been shipped on or about February 18, 1919, by J. L. Kraft & Bros. Co., Chicago, Ill., and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Elkhorn Limberger Cheese," "Elkhorn—Roquefort—American Cheese," "Elkhorn Swiss Cheese," "Elkhorn Kraft Cheese—Pimento Flavor," "Elkhorn Kraft Cheese, American Cheddar," and "J. L. Kraft & Bros. Co., Chicago, Ill."

Misbranding of the article was alleged in the libel for the reason that the labels on the cans containing the article bore the statement that each can contained  $\frac{1}{4}$  pound of cheese, which was false and misleading inasmuch as the contents of the cans were less than that amount, averaging in percentage from 3.75 per cent to 9.87 per cent shortage in weight, and for the further reason that the statement, "Contents One Quarter Pound," deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in the terms of weight, since the amount stated was not a correct statement of the food contained in each package or can.

On May 10, 1919, the said J. L. Kraft Bros. & Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**7217. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 2 Barrels of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9918. I. S. No. 13273-r. S. No. E-1270.)**

On March 21, 1919, the United States attorney for the Northern 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 barrels of olive oil, at Syracuse, N. Y., alleging that the article had been shipped on or about February 15, 1919, by Coroneos Bros., Philadelphia, Pa., and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Miguel Moreno Moncayo Olive Oil Malaga Spain."

Adulteration of the article was alleged for the reason that instead of being olive oil it was in fact almost entirely cottonseed oil, which had been mixed with and substituted almost entirely for olive oil.

Misbranding of the article was alleged for the reason that each of the containers was labeled and branded "Olive Oil," and which containers were misbranded in that they did not contain [bear] a clear, plain, and truthful statement of the contents of said containers, in that the barrels contained food products therein which were not olive oil, but were almost entirely cottonseed oil, which had been mixed with a small quantity of olive oil and substituted for olive oil, and that the words "Olive Oil" were used for the purpose of declaring and making it known that the contents of the barrels were in fact olive oil, which said statement was false and misleading and deceived and misled the purchaser in that in fact the article was an imitation of a standard well-known food product which was sold under a distinctive name, to wit, olive oil, which is altogether different from the article contained in said barrels, and the said contents were in reality of less value, [of] less use, less wholesome, and not the article or product which the purchaser was led to believe that he was purchasing. Misbranding of the article was alleged for the further reason that the statements borne on the