

10376. Adulteration of oranges. U. S. * * * v. 462 Boxes of Oranges. Decree of condemnation and forfeiture. Product distributed to charitable institutions. (F. & D. No. 15791. I. S. No. 11193-t. S. No. W-1059.)

On March 27, 1922, the United States attorney for the Eastern District of Washington, 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 462 boxes of oranges, remaining in the original unbroken packages at Spokane, Wash., alleging that the article had been shipped by the Riverside Heights Orange Growers Assoc., Riverside, Calif., March 7, 1922, and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Pepper Leaf Brand, Riverside Heights Orange Growers Association, Riverside, Calif., W. Navel."

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

On April 3, 1922, the Riverside Heights Orange Growers Assoc., Riverside, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act. Subsequently, it having been found impracticable to separate the good from the bad oranges, they were distributed to various charitable institutions in Spokane, Wash., and the bond was ordered discharged.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10377. Adulteration and misbranding of canned salmon. U. S. * * * v. 900 Cases of Canned Salmon * * *. Tried to the court. Decree of condemnation, forfeiture, and destruction. (F. & D. No. 15861. I. S. No. 11991-t. S. No. C-3382.)

On December 22, 1921, the United States attorney for the Northern District of Mississippi, 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 900 cases of canned salmon, remaining unsold in the original unbroken packages at Tupelo, Miss., alleging that the article had been shipped by the Lowman Co., Anacortes, Wash., on or about October 12, 1921, and transported from the State of Washington into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Sunny South Brand Pink * * * Contents 1 Lb. Fresh Salmon Cooked in Can After Sealing."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

It was further alleged in substance that the cans containing the article were misbranded in that the labeling thereof was false and misleading and deceived and misled the purchaser, since the product contained therein was partly decomposed.

On April 4, 1922, the Reeves Grocery Co., Tupelo, Miss., having entered an appearance as claimant for the property, and the case having come on for trial before the court, after the submission of evidence and arguments by counsel a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10378. Adulteration and misbranding of butter. U. S. * * * v. 65 Boxes, 67 Cartons, and 43 Boxes of Butter * * *. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16088. I. S. Nos. 17051-t, 17052-t. S. No. E-3845.)

On April 10, 1922, the United States attorney for the District of Maryland, 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 108 boxes and 67 cartons of butter, remaining in the original unbroken packages at Baltimore, Md., consigned in part March 27, 1922, and in part March 29, 1922, alleging that the article had been shipped by the Minnesota Creamery & Produce Co., St. Paul, Minn., and transported from the State of Minnesota into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Butter 1 Pound."