

N. Y., on or about February 18, 1925, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Juanita Brand California Tuna Standard All Light Meat."

Adulteration of the article was alleged in the libels for the reason that a substance, yellowtail, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the packages inclosing the article contained labels bearing the statements "California Tuna Standard All Light Meat Selected Quality for Discriminating Trade Only," which were false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On April 20, 1925, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13253. Adulteration of oranges. U. S. v. 400 Cases, et al., of Oranges. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 19578, 19804, 19805, 19806, 19809, 19810, 19821. I. S. Nos. 21104-v, 21109-v, 21110-v, 21112-v, 21114-v, 21115-v, 21121-v. S. Nos. W-1641, W-1644, W-1645, W-1648, W-1649, W-1650, W-1676.)

On the respective dates of February 13, 19, 20, and 21, 1925, the United States attorney for the District of Oregon, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 2,208 cases of oranges at Portland, Oreg., alleging that the article had been shipped by the California Fruit Growers' Exchange, from Wilmington, Calif., in various consignments, on the respective dates of January 31, February 4, and February 11, 1925, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled, variously: (Case) "Redlands Pride. Bryn Mawr Fruit Growers Association, Redlands, * * * California"; "Nubian Brand Crown Jewel Groves, Redlands, California"; "Washington Navels Mill Creek Brand. Packed by Crafton Orange Growers Association, Crafton, * * * California"; "Pine Tree Brand Fancy Highland Orange Association, Highland, California"; "Grove Brand. Grown and packed by Highland Fruit Growers Association, Highland, * * * California." The greater portion of the said consignments bore the statement on the cases "California Fruit Growers Exchange."

Adulteration of the article was alleged in the libels for the reason that a substance, an inedible product, had been substituted wholly or in part for normal oranges of good commercial quality.

On February 28, 1925, the California Fruit Growers Exchange, claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation were entered, finding the product adulterated, in that an inedible product had been substituted wholly or in part therefor and in that the particles of the said product were frozen and the oranges had not the juice of oranges of commercial quality, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$3,500, in conformity with section 10 of the act, conditioned in part that it be used for the manufacture of orange marmalade.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13254. Adulteration of oranges. U. S. v. 200 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19818. I. S. Nos. 21118-v, 21119-v. S. No. W-1675.)

On February 21, 1925, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 200 boxes of oranges, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Mutual Orange Distributors, from Wilmington, Calif., February 8, 1925, and

transported from the State of California into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case) "Dale Redlands Orangedale Groves Inc. Redlands California."

Adulteration of the article was alleged in the libel for the reason that a substance, an inedible product, had been substituted wholly or in part for normal oranges of good commercial quality.

On February 28, 1925, the California Fruit Growers' Exchange, Los Angeles, Calif., 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 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 \$500, in conformity with section 10 of the act, conditioned in part that it be used in the manufacture of marmalade.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13255. Adulteration and misbranding of canned tomatoes. U. S. v. 1,000 Cases of Canned Tomatoes. Decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 19423. I. S. No. 19935-v. S. No. C-4048.)

On December 26, 1924, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 1,000 cases of canned tomatoes, in various lots, at Houston, Navasota, Victoria, and Brownsville, Tex., respectively, alleging that the article had been shipped by the Davis Canning Co., from Laurel, Del., on or about October 13, 1924, and transported from the State of Delaware into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Dee Bee Brand Tomatoes * * * Packed by Davis Canning Co. Laurel, Del. U. S. A."

Adulteration of the article was alleged in the libel for the reason that a substance, added water, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Tomatoes" was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On April 13, 1925, the Davis Canning Co., Laurel, Del., having appeared as claimant, 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 \$1,000, in conformity with section 10 of the act, conditioned that it be relabeled in part: "Water 50% Tomatoes 50% These tomatoes were canned with an additional equal amount of water. Canned tomatoes should be packed in their own juice without added water" and disposed of only after such relabeling had been accomplished to the satisfaction of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13256. Misbranding of canned tomatoes. U. S. v. 150 Cases, et al., of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19207. I. S. Nos. 3244-v, 3245-v, 3246-v, 3247-v. S. No. E-5029.)

On December 4, 1924, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 2,250 cases of canned tomatoes, remaining in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped by the H. J. McGrath Co., from Baltimore, Md., in various consignments, namely, on or about October 21, 24, 28, and 31, 1924, respectively, and transported from the State of Maryland into the State of Georgia, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can), "Champion Brand Tomatoes Contents 10 Oz." (or, "Contents 1 Lb. 3 Oz.") "Packed by The H. J. McGrath Co. Baltimore, Md., U. S. A."

Misbranding of the article was alleged in the libel for the reason that the statements "Contents 10 Oz." and "Contents 1 Lb. 3 Oz.," as the case might be, borne on the labels, were false and misleading and deceived and misled