

**14102. Adulteration of canned cherries. U. S. v. 68½ Cases, et al., of Cherries. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 20571 to 20576, incl. I. S. Nos. 684-x, 741-x, 744-x. S. Nos. W-1803, W-1804.)

On November 6, 1925, the United States attorney for the Northern District of California, 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 476½ cases of canned cherries, at San Francisco, Calif., alleging that the article had been shipped by the Walker Canning Co., from Independence, Oreg., August 8, 1925, and transported from the State of Oregon into the State of California, and charging adulteration in violation of the food and drugs act. One hundred and four cases were labeled in part: (Can) "Eugene Brand Pitted Black Cherries Oregon Fruit Packed By Eugene Fruit Growers Association Eugene Oregon." The cans in the remaining cases were unlabeled except in 68½ cases, which were labeled in part: (Can) "Monogram Brand Solid Pack Black Pitted Cherries."

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

On December 4, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was 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.*

**14103. Adulteration of canned cherries. U. S. v. 19 Cases, et al., of Canned Black Cherries. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 20676, 20714. I. S. Nos. 773-x, 774-x, 775-x, 1053-x, 1055-x, 1056-x, 1079-x. S. No. W-1824, W-1833.)

On November 30 and December 11, 1925, the United States attorney for the Northern District of California, 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 346 cases of canned black cherries, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the California Packing Corp., from Portland, Oreg., in various consignments between the dates of July 27 and October 21, 1925, and transported from the State of Oregon into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case) "Black Cherries California Packing Corporation Main Office San Francisco, Cal."

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

On February 2, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was 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.*

**14104. Misbranding of poultry food. U. S. v. 129 Sacks, et al., of Poultry Food. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 20828, 20829, 20830. I. S. Nos. 10457-x, 10460-x, 10467-x. S. Nos. W-1864, W-1865, W-1867.)

On February 8 and 9, 1926, respectively, 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 269 sacks of poultry food, remaining in the original unbroken packages in part at East Portland, Oreg., and in part at Portland, Oreg., alleging that the article had been shipped by the Marine Products Co., Inc., from Tacoma, Wash., in various consignments, namely, on or about June 25, 1925, and January 7 and 20, 1926, and transported from the State of Washington into the State of Oregon, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Argentine Scrapsomeat Brand \* \* \* Guaranteed Analysis Crude Protein not less than 50%."

Misbranding of the article was alleged in the libel for the reason that the statement "Crude Protein not less than 50%," borne on the label, was false and misleading and deceived and misled the purchaser.

On February 16 and 17, 1926, respectively, the Marine Products Co., Tacoma, Wash., having appeared as claimant for the property and having consented