

14911. Adulteration of scallops. U. S. v. Twenty-one 1-Gallon Cans of Scallops. Default decree of condemnation and forfeiture. Product ordered delivered to charitable institution or destroyed. (F. & D. No. 21692. I. S. No. 14903-x. S. No. E-5979.)

On February 10, 1927, 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 praying seizure and condemnation of twenty-one 1-gallon cans of scallops, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by W. D. Davis, from Keller, Va., on or about February 8, 1927, and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a substance, water, had been mixed with and substituted in part for scallops.

On February 26, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the portion of the product passed by this department as fit for human consumption be delivered to a charitable institution, and the remainder destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14912. Adulteration of scallops. U. S. v. Sixteen 1-Gallon Cans of Scallops. Default decree of condemnation and forfeiture. Product ordered delivered to charitable institution or destroyed. (F. & D. No. 21678. I. S. No. 16022-x. S. No. E-5970.)

On February 8, 1927, 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 praying seizure and condemnation of sixteen 1-gallon cans of scallops, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by A. L. Charnock, from Exmore, Va., on or about February 4, 1927, and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a substance, water, had been mixed and packed with and substituted in part for scallops.

On February 24, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the portion of the product passed by this department as fit for human consumption be delivered to a charitable institution, and the remainder destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14913. Adulteration of scallops. U. S. v. Thirteen 1-Gallon Cans of Scallops. Default decree of condemnation and forfeiture. Product ordered delivered to charitable institution or destroyed. (F. & D. No. 21688. I. S. No. 14904-x. S. No. E-5982.)

On February 14, 1927, 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 praying seizure and condemnation of thirteen 1-gallon cans of scallops, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Atlantic Fish Co., from Baltimore, Md., on or about February 9, 1927, and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a substance, water, had been mixed and packed with and substituted in part for scallops.

On February 26, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the portion of the product passed by this department as fit for human consumption be delivered to a charitable institution, and the remainder destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14914. Adulteration of scallops. U. S. v. Twenty-eight 1-Gallon Cans of Scallops. Default decree of condemnation and forfeiture. Product ordered delivered to charitable institution or destroyed. (F. & D. No. 21690. I. S. No. 14901-x. S. No. E-5977.)

On February 10, 1927, 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 praying seizure and condemnation of twenty-eight 1-gallon cans of scallops, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by N. F. Smith, from Cheriton, Va., on or about February 7, 1927, and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a substance, water, had been mixed with and substituted in part for scallops.

On February 26, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the portion of the product passed by this department as fit for human consumption be delivered to a charitable institution and the remainder destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14915. Adulteration and misbranding of cottonseed meal. U. S. v. 400 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20578. I. S. No. 6567-x. S. No. E-5545.)

On or about November 13, 1925, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed meal, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Americus Oil Co., from Americus, Ga., on or about October 9, 1925, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Cotton Seed Meal Mfd. By Americus Oil Co. Americus, Ga. Guaranteed Analysis: Ammonia 7.00% Protein 36.00%."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in ammonia (protein) had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Cotton Seed Meal Guaranteed Analysis: Ammonia 7.00% Protein 36.00%" borne on the label was 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 November 25, 1925, the Americus Oil Co., Americus, Ga., 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 \$1,200, conditioned that it not be used in violation of law.

W. M. JARDINE, *Secretary of Agriculture.*

14916. Adulteration and misbranding of tangerines and grapefruit. U. S. v. 38 Half Boxes of Tangerines and 55 Boxes of Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21875. I. S. Nos. 16178-x, 16179-x. S. No. E-5990.)

On February 17, 1927, 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 praying seizure and condemnation of 38 half boxes of tangerines and 55 boxes of grapefruit, remaining in the original unbroken packages at New York, N. Y., alleging that the articles had been shipped by M. A. Rice, from Citra, Fla., on or about February 10, 1927, and transported from the State of Florida into the State of New York, and charging adulteration in violation of the food and drugs act. The tangerines were labeled in part: "M. A. Rice." The grapefruit were labeled in part: "Rice Brand * * * M. A. Rice & Co., Citra, Fla."

Examination of the articles by the Bureau of Chemistry of this department showed that they consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the articles were adulterated, in that they consisted in whole or in part of decomposed vegetable substances.

On March 2, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*