

district libels praying seizure and condemnation of 108 cases of canned oysters, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by J. T. Leonard & Sons, from Charleston, S. C., in part on or about February 9, 1926, and in part on or about March 12, 1926, and transported from the State of South Carolina into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Sea Maid Brand Oysters Contents 5 Oz. Packed By Seaside Cannery Charleston, South Carolina."

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

Misbranding was alleged for the reason that the label bore a statement "Oysters Contents 5 Oz." or "Contents 5 Oz.," as the case might be, which was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, and for the further reason that it was offered for sale under the distinctive name of another article.

On April 17, 1926, no claimant having appeared for 36 cases of the product judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said 36 cases be destroyed by the United States marshal. On June 10, 1926, John T. Leonard & Sons having appeared as claimant for the remaining 72 cases of the property and having admitted the allegations of the libel and 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, conditioned that it not be used contrary to law.

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

14931. Adulteration and misbranding of cottonseed meal. U. S. v. 350 Sacks of Cottonseed Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20585. I. S. No. 6565-x. S. No. E-5561.)

On November 12, 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 350 sacks of cottonseed meal, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Montezuma Cotton Oil Co., from Montezuma, Ga., on or about September 29, 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 Montezuma Cotton Oil Co. Montezuma, Georgia Guaranteed Analysis Protein (minimum) 36.00 per cent Ammonia (minimum) 7.00 per cent Fibre (minimum) 14.00 per cent."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in ammonia (protein) and containing excessive fiber 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 "Guaranteed Analysis Protein (minimum) 36.00 per cent Ammonia (minimum) 7.00 per cent Fiber (minimum) 14.00 per cent," borne on the label, 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 17, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the 8 sacks of the product seized be destroyed by the United States marshal.

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

14932. Adulteration of grapefruit. U. S. v. 360 Cases and 360 Cases of Grapefruit. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21655, 21656. I. S. Nos. 5693-x, 5694-x. S. Nos. E-5953, E-5954.)

On February 3 and 4, 1927, respectively, the United States attorney for the Western District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels

praying seizure and condemnation of 720 cases of grapefruit, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by R. W. Burch, from Plant City, Fla., on or about January 20, 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 article was labeled in part: "West Coast Brand * * * R. W. Burch Sales Office, Plant City, Florida."

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

It was alleged in the libels that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On February 18, 1927, R. W. Burch, Plant City, Fla., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation and forfeiture were 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 bonds totaling \$1,000, conditioned in part that it be repacked under the supervision of this department and not be sold or otherwise disposed of contrary to law.

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

14933. Adulteration of oranges and tangerines. U. S. v. 31 Cases of Oranges and 105 Cases of Tangerines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21723. I. S. No. 13725-x. S. No. E-5997.)

On March 1, 1927, the United States attorney for the Eastern District of Pennsylvania, 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 31 cases of oranges and 105 cases of tangerines, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Chase & Co., Nocatee, Fla., alleging that the articles had been shipped from Nocatee, Fla., on or about February 23, 1927, and transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The articles were labeled in part: (Wrapper) "Terrapin Brand Oranges & Grapefruit Chase & Co. Sales Agents Nocatee Groves."

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 21, 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.*

14934. Adulteration of tangerines. U. S. v. 429 Half Boxes and 629 Half Boxes of Tangerines. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21627, 21628. I. S. Nos. 13717-x, 13750-x. S. Nos. E-5960, E-5964.)

On February 9, 1927, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 1,058 half boxes of tangerines, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the De Land Packing Co., De Land, Fla., alleging that the article had been shipped from De Land, Fla., in two consignments, on or about January 31 and February 1, 1927, respectively, and transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Temptation Brand Tangerines De Land Packing Co. De Land, Fla."

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

It was alleged in the libels that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On March 2, 1927, 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.

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