

15078. Adulteration of grapefruit. U. S. v. 150 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21778. I. S. No. 12480-x. S. No. C-5411.)

On March 14, 1927, the United States attorney for the Southern District of Ohio, 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 150 boxes of grapefruit, remaining in the original unbroken packages at Cincinnati, Ohio, consigned on or about March 8, 1927, alleging that the article had been shipped by the Southern Fruit Distributors, Winter Haven, Fla., and transported from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Coot Brand Grown and Distributed by Southern Fruit Distributors, Inc. Orlando, Fla."

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

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 16, 1927, M. Degaro Co., Cincinnati, Ohio, 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, conditioned in part that it be salvaged under the supervision of this department.

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

15079. Adulteration of oranges. U. S. v. 1 Carload of Bulk Oranges. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21760. I. S. No. 12477-x. S. No. C-5408.)

On March 8, 1927, the United States attorney for the Southern District of Ohio, 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 1 carload of bulk oranges, remaining in the original car at Cincinnati, Ohio, consigned by F. N. Hicks, Tampa, Fla., on or about March 3, 1927, alleging that the article had been shipped in interstate commerce from Tampa, Fla., into the State of Ohio, and charging adulteration in violation of the food and drugs act.

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

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On March 18, 1927, I. N. Price & Co., Cincinnati, Ohio, having appeared as claimant for the property and 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 the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged under the supervision of this department, by removing all decomposed fruit for destruction.

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

15080. Adulteration of cocoa. U. S. v. 98 Barrels and 24 Barrels of Powdered Cocoa. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21787, 21788. I. S. Nos. 17076-x, 17077-x. S. No. W-2127.)

On March 30, 1927, the United States attorney for the Northern District of California, 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 122 barrels of powdered cocoa, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Pacific Cocoa Co., from Seattle, Wash., in two shipments, on or about December 10 and 30, 1926, respectively, and transported from the State of Washington into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (barrel) "Pacific Cocoa Co. Seattle Crown Brand Pure Cocoa 185."

It was alleged in the libel that the article was adulterated, in that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On April 25, 1927, Boehme & Co. having appeared as claimant for the property 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 \$750, conditioned in part that it be made to conform with the Federal food and drugs act under the supervision of this department.

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

15081. Adulteration of rum drops. U. S. v. 52 Boxes and 20 Boxes of Rum Drops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21345. I. S. Nos. 12298-x, 12299-x. S. No. C-5250.)

On or about October 27, 1926, the United States attorney for the Eastern District of Michigan, 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 52 one-pound boxes and 20 five-pound boxes of rum drops, remaining in the original unbroken packages at Detroit, Mich., consigned June 19, 1926, alleging that the article had been shipped by D'Orlando & Co., from Boston, Mass., and transported from the State of Massachusetts into the State of Michigan, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Marathon Chocolates Genuine Rum Drops * * * D'Orlando Company Boston, Mass."

It was alleged in the libel that the article was adulterated, in violation of section 7 of said act, in the case of confectionery, in that it contained a spirituous liquor, alcohol, and, in the case of food, in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On December 7, 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.

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

15082. Misbranding of cottonseed meal and cottonseed cake. U. S. v. 200 Sacks of Cottonseed Meal, et al. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21424. I. S. Nos. 4145-x, 4146-x, 4147-x. S. No. C-5277.)

On or about December 11, 1926, the United States attorney for the District of Kansas, 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 200 sacks of cottonseed meal and 200 sacks of cottonseed cake, remaining in the original unbroken packages at Atwood, Kans., alleging that the article had been shipped by the Planters Cottonseed Products Co., from Dallas, Texas, on or about November 17, 1926, and transported from the State of Texas into the State of Kansas, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Guaranteed Analysis Protein, not less than 43%."

It was alleged in the libel that the article was misbranded, in that the statement "Guaranteed Analysis Protein, not less than 43%," borne on the label, was false and misleading and deceived and misled the purchaser to believe that the said article contained not less than 43 per cent of protein, whereas it contained a smaller quantity.

On January 8, 1927, the Planters Cottonseed Products Co., claimant, 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, conditioned in part that it not be sold or offered for sale in violation of the law.

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

15083. Adulteration of butter. U. S. v. 69 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21914. I. S. No. 19241-x. S. No. C-5442.)

On April 6, 1927, the United States attorney for the Northern District of Illinois, 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 69 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Cherokee Creamery Co., from Cherokee, Okla., March 28, 1927, and transported from the State of Oklahoma into the State of Illinois, and charging adulteration in violation of the food and drugs act.