

packages at New York, N. Y., alleging that the article had been shipped by the Malaga Packing Co., from Fresno, Calif., March 23, 1927, and transported from the State of California 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 it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On September 3, 1927, the Malaga Packing Co., Fresno, 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 \$2,250, conditioned in part that it be labeled "Not for Human Consumption" and should not be used for human consumption or for purposes other than the distillation of alcohol, manufacture of tobacco, or use as hog feed.

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

**15366. Adulteration of dried figs. U. S. v. 4,000 Cases of Dried Figs. Tried to the court and a jury. Directed verdict for the Government. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21883. I. S. No. 13783-x. S. No. E-6107.)**

On April 30, 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 4,000 cases of dried figs, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the California Packing Corporation, from San Francisco, Calif., on or about March 26, 1927, and transported from the State of California 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 it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance, to wit, wormy, moldy, filthy, sour, and bird pecked figs.

On July 11, 1927, Wm. A. Higgins & Co., Inc., New York, N. Y., having appeared as claimant for the property, the case came on for trial before the court and a jury. After the submission of evidence for the Government, no witness having been called by the claimant, the court directed a verdict in favor of the Government. On August 25, 1927, a decree 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 \$4,000, conditioned in part that the boxes of figs be labeled "Not for Human Consumption," and should not be used for human consumption or for purposes other than the distillation of alcohol, manufacture of tobacco, or use as hog feed.

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

**15367. Adulteration of figs. U. S. v. 960 Cases of Figs. Tried to the court and a jury. Directed verdict for the Government. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21879. I. S. No. 16153-x. S. No. E-6103.)**

On April 29, 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 960 cases of figs, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the J. B. Inderrieden Co., from Fresno, Calif., on or about March 29, 1927, and transported from the State of California into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Monogram Brand White Adriatic Figs, Packed by J. B. Inderrieden Co., Fresno, Cal. U. S. A."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance, to wit, wormy, moldy, filthy, sour, bird pecked figs.

On July 11, 1927, Wm. A. Higgins & Co., Inc., New York, N. Y., having appeared as claimant for the property, the case came on for trial before the court and a jury. A directed verdict for the Government was entered. On August 27, 1927, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, conditioned in part that the boxes of figs be labeled "Not for Human Consumption," and should not be used for human consumption or for purposes other than the distillation of alcohol, manufacture of tobacco, or use as hog feed.