

On March 14, 1931, F. G. Favaloro Sons (Inc.), New Orleans, La., having appeared as claimant for the property, judgment was entered finding the essential allegations of the libel to be true, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,595.80, conditioned in part that it should not be sold or otherwise disposed of contrary to the provisions of the laws of the United States or of any State, Territory, district, or insular possession.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18236. Adulteration of canned stringless beans. U. S. v. 20 Cases, et al., of Stringless Beans. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 25182, 25185, 25193. I. S. Nos. 16626, 16628, 16629. S. Nos. 3453, 3454, 3455.)

Samples of canned stringless beans from the shipments herein described having been found to be sour, decomposed, or underprocessed, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Virginia.

On or about October 3 and October 6, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 65 cases of canned stringless beans, remaining in the original unbroken packages, in various lots at Pennington Gap, Appalachia, and St. Charles, Va., alleging that the article had been shipped by Henley Runions, New Tazewell, Tenn., on or about July 21, 1930, and had been transported from the State of Tennessee into the State of Virginia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Runions Best Brand Stringless Beans * * * Packed by Henley Runions, New Tazewell, Tenn."

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 May 4, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18237. Adulteration of rabbits. U. S. v. 1½ Barrels of Rabbits. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25876. I. S. No. 24651. S. No. 4126.)

Samples of rabbits from the shipment herein described having been found to be partially decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On February 10, 1931, the United States attorney filed in the District Court aforesaid a libel praying seizure and condemnation of 1½ barrels of rabbits at Chicago, Ill., alleging that the article had been shipped by the Green City Poultry Co., from Green City, Mo., January 31, 1931, and had been transported from the State of Missouri into the State of Illinois, 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 part of a decomposed animal substance.

On April 14, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18238. Adulteration of canned tomatoes. U. S. v. 113 Cases of Canned Tomatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25755. I. S. No. 14401. S. No. 4003.)

Samples of canned tomatoes from the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Middle District of Georgia.

On January 19, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 113 cases of canned tomatoes, remaining in the original unbroken packages at Columbus, Ga., alleging that the article had been shipped by the Dean Canning Co., from Whitesburg, Tenn., on or about October 7, 1929, and had been transported from the State of Tennessee into the State of Georgia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Ready Dinner Brand Tomatoes * * * Packed by Dean Canning Co., Russellville, Tenn."

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

On March 10, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18239. Adulteration and misbranding of canned orange juice. U. S. v. 300 Cases of Canned Orange Juice. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26155. I. S. No. 22077. S. No. 4463.)

Samples of canned orange juice from the shipment herein described having been found to contain added sugar, and to be short of the volume declared on the can label, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of California.

On March 31, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 300 cases of the said canned orange juice, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Orlando Canning Co. (Inc.), from Orlando, Fla., on or about February 20, 1931, and had been transported from the State of Florida into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Cases and cans) "Heart of Florida Brand Pure Florida Orange Juice, Contents 10½ Fl. Oz. or 297 Grams * * * Packed by Orlando Canning Co., Inc., Orlando, Florida."

It was alleged in the libel that the article was adulterated in that orange juice with added sugar had been substituted for the said article.

Misbranding was alleged for the reason that the statements on the case and can labels, "Orange Juice" and "Contents 10½ Fl. Oz.," were false and misleading, and deceived and misled the purchaser when applied to an article containing added sugar and which was short of the volume declared. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct; and for the further reason that it was offered for sale under the distinctive name of another article.

On April 29, 1931, William J. Boradori, San Francisco, Calif., having filed an appearance as agent for the Orlando Canning Co. (Inc.), Orlando, Fla., claimant, and said claimant 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 costs and the execution of a bond in the sum of \$750, conditioned in part that it be made to conform to the Federal food and drugs act, under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18240. Adulteration of butter. U. S. v. 13 Cubes, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26424. I. S. No. 12911. S. No. 4227.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard for butter prescribed by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of California.

On February 16, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 41 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the United Dairymen's Association, Caldwell, Idaho, on or about January 31, 1931, and had been transported from the State of Idaho into the State of California, 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 product containing less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent of milk fat.

On March 28, 1931, the Golden State Co. (Ltd.), San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of