

**18916. Adulteration and misbranding of canned grapefruit juice. U. S. v. 167 Cases of Canned Grapefruit Juice. Product released under bond to be relabeled. (F. & D. No. 26930. I. S. No. 12973. S. No. 5135.)**

Samples of canned grapefruit juice from the shipment herein described having been found to contain added sugar sirup, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of California.

On September 2, 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 167 cases of canned grapefruit juice, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Thomas Roberts & Co., from Philadelphia, Pa., on or about June 4, 1931, and had been transported from the State of Pennsylvania into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Blue Bar Brand Grapefruit Juice Packed by Tugwell & Wiseman, Inc., Tarpon Springs, Fla."

It was alleged in the libel that the article was adulterated in that an undeclared added substance, sugar sirup, had been substituted partly for the said article.

Misbranding was alleged for the reason that the statement on the label, "Grapefruit Juice," was false and misleading, and deceived and misled the purchaser when applied to an article composed partly of added undeclared sugar sirup. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On October 8, 1931, the Western States Grocery Co., San Francisco, Calif., having appeared as claimant for the property, and it having been stipulated by the claimant and a representative for the Government that sugar sirup had been added to the product by the manufacturer, a decree was entered ordering that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$300, said bond to be canceled upon certification by this department that the article had been relabeled so as to conform to the provisions of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18917. Adulteration and misbranding of canned sliced mushrooms. U. S. v. 20 Cases of Canned Sliced Mushrooms. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26705. I. S. No. 17231. S. No. 4831.)**

Examination of samples of canned sliced mushrooms from the shipment herein described having shown that the article contained excessive stems and that the cans contained less than the declared weight, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Michigan.

On or about June 26, 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 20 cases of canned sliced mushrooms at Detroit, Mich., alleging that the article had been shipped by Von Bremen-Asche de Bruyn (Inc.), from Wilmington, Del., on or about April 14, 1931, and had been transported from the State of Delaware into the State of Michigan, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Forest-Inn Sliced Mushrooms Full Natural Flavor (Unbleached) Cultivated Mushrooms \* \* \* Contents 15 Oz. Drained Weight of Mushrooms 8 Oz. \* \* \* These mushrooms \* \* \* Forest-Inn Mushrooms \* \* \* We guarantee them to be \* \* \* of exceptionally high quality [cut of mushroom];" (shipping carton) "8 Oz. Sliced Mushrooms."

It was alleged in the libel that the article was adulterated in that excessive stems had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement on the shipping cases, "8 Oz. Sliced Mushrooms," and the statements on the can labels, "Sliced Mushrooms \* \* \* Cultivated Mushrooms \* \* \* Contents 15 Oz. Drained Weight of Mushrooms 8 Oz. \* \* \* Mushrooms \* \* \* These mushrooms \* \* \* Forest-Inn Mushrooms \* \* \* We guarantee them to be \* \* \* of exceptionally high quality," and the design of a mushroom appearing on the said cans, were false and misleading, and deceived and misled the purchaser when applied to mushrooms containing an excessive amount of stems and which were short of the declared contents and of the declared drained weight. Misbranding was alleged for the further reason that the article was