11029. Misbranding of canned shrimp. U. S. v. 15 Cases of Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16269. I. S. No. 18663–t. S. No. C–2917.)

On May 4, 1922, 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 for the seizure and condemnation of 15 cases of shrimp at Chicago, Ill., alleging that the article had been shipped by the Brunswick Canning Co., Brunswick, Ga., March 17, 1922, and transported from the State of Georgia into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in substance in the libel for the reason that the cans containing the said article were labeled, marked, and branded as follows, "Barataria Shrimp Blue Point Brand Packed By The Brunswick Canning Co. Brunswick, Ga. Contents 9¾ Oz. Net," which statements were false and misleading and deceived and misled the purchaser in that they represented that the said article was Barataria shrimp and that each of said cans contained 9¾ ounces net of the article, whereas, in truth and in fact, the said cans did not contain shrimp from Barataria Bay and did contain less than 9¾ ounces net of the said article. 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 in terms of weight and measure.

On June 27, 1922, 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11030. Adulteration of oranges. U. S. v. 148 Boxes of Oranges. Decree providing for release of a portion of the product. (F. & D. No. 15757. I. S. No. 12820–t. S. No. W–1052.)

On March 9, 1922, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 148 boxes of oranges, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the Ryan Fruit Co., from Highland, Calif., on or about February 13, 1922, and transported from the State of California into the State of Utah, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part or wholly of a decomposed vegetable substance.

On March 29, 1922, the Ryan Fruit Co., a corporation of the State of Washington, having entered an appearance as claimant for the property, and the goods having been previously sorted under the supervision of this department and 105½ boxes thereof having been found suitable for food, it was ordered by the court that the said 105½ boxes of the product be released to the said claimant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11031. Adulteration and misbranding of claret vinegar. U. S. v. 53 Pint Bottles, et al., of Claret Vinegar. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 15912, 15913, 15914. I. S. Nos. 15508–t, 15514–t, 15516–t. S. No. E–3728.)

On January 14, 1922, the United States attorney for the Northern 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 libels for the seizure and condemnation of 53 pint bottles, 69 pint bottles, and 1 barrel of claret vinegar, in various lots at Binghamton, Rome, and Herkimer, N. Y., respectively, alleging that the article had been shipped by the Vernon D. Price Co., in part from Scranton and in part from Pittsburgh, Pa., between the dates of October 20 and 29, 1921, and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottles) "Gold Medal Brand Claret Wine Vinegar * * * 1 Pint;" (barrel) "Vernon D. Price Co. 50 Claret Vinegar Reduced * * * Grains."

Adulteration of the article was alleged in substance in the libels for the reason that excessive water and distilled vinegar, in the case of the product contained in the bottles, and excessive water, in the case of the product contained in the barrel, had been mixed and packed with and substituted in whole