14973. Adulteration of celery U. S. v. 1 Carload of Celery. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21771. I. S. No. 16590–x. S. No. E–6070.)

On March 23, 1927, the United States attorney for the Middle District of Pennsylvania, 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 celery, at Wilkes-Barre, Pa., alleging that the article had been shipped by the Sanford Oveido Truck Growers, Inc., from Cameron City, Fla., March 11, 1927, and transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled, "Seminole Brand."

It was alleged in the libel that the article was adulterated, in that it contained an added poisonous ingredient, to wit, arsenic, which might be harmful to health.

On April 4, 1927, the Sanford Oveido Truck Growers, Inc., Sanford, Fla., claimant, having admitted the allegations of the libel and consented to the entry of a decree, and said claimant having petitioned for the release of the product for the purpose of salvaging by washing it, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $1,000, conditioned in part that no part thereof be sold or otherwise disposed of until examined, passed upon, and released by a representative of this department, and that the balance be destroyed by the United States marshal.

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

14974. Misbranding of cottonseed cake and meal. U. S. v. 330 Bags of Cottonseed Cake and Meal. Product ordered released under bond to be relabeled. (F. & D. No. 20775. I. S. Nos. 359–x, 360–x, 361–x. S. No. W–1850.)

On January 19, 1926, the United States attorney for the District of Colorado, 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 330 bags of cottonseed cake and meal, remaining in the original unbroken packages at Denver, Colo., consigned by Stamford Cotton Oil Mill, Stamford, Tex., alleging that the article had been shipped from Stamford, Tex., on or about December 12, 1925, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "43% Protein Cottonseed Cake" (or "Meal") "Prime Quality Manufactured by Stamford Cotton Oil Mill Stamford, Texas Guaranteed Analysis Crude Protein not less than 43.00 Per Cent."

It was alleged in the libel that the article was misbranded, in that the statements "Crude Protein not less than 43.00 Per Cent" and "43% Protein Cottonseed Cake" (or "Meal") borne on the labels, were false and misleading and deceived and misled the purchaser, since the article did not contain 43 per cent of crude protein or 43 per cent of protein.

On November 24, 1926, J. M. Terry having appeared as claimant for the property, a decree was entered, ordering that the product be released to the said claimant upon the execution of a bond in the sum of $500, conditioned that it be relabeled to describe correctly the protein content thereof, and that it not be sold or disposed of in violation of the Federal food and drugs act.

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

14975. Adulteration of tangerines. U. S. v. 54 Half Boxes and 72 Half Cases of Tangerines. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21796, 21797. I. S. Nos. 14729–x, 14730–x. S. Nos. E–6017, E–6018.)

On March 18 and 23, 1927, respectively, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 54 half boxes and 72 half cases of tangerines, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Brooksville Citrus Growers Assoc., Brooksville, Fla., alleging that the article had been shipped from Brooksville, Fla., in part on or about