15605. Adulteration of muffin figs. U. S. v. 300 Cases of Muffin Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22421. I. S. No. 17711–x. S. No. 497.)

On February 6, 1928, the United States attorney for the District of Massachusetts, 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 300 cases of muffin figs, remaining in the original unbroken packages at Boston, Mass., consigned December 29, 1927, alleging that the article had been shipped by the Sunland Sales Cooperative Assoc., San Francisco, Calif., and had been transported from the State of California into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part as follows: "Blue Ribbon Brand Muffin Figs, Produced and Packed by California Peach & Fig Growers Association, Main Office, Fresno, California."

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, or putrid vegetable substance.

On February 24, 1928, 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.

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

15606. Adulteration and misbranding of chocolate coating. U. S. v. Massachusetts Chocolate Co. Plea of guilty. Fine, $300. (F. & D. No. 22530. I. S. No. 13253–x.)

On October 14, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Massachusetts Chocolate Co., a corporation, Boston, Mass., alleging shipment by said company, in violation of the food and drugs act, on or about November 30, 1926, from the State of Massachusetts into the State of Maryland, of a quantity of chocolate coating which was adulterated and misbranded. The article was labeled in part: (On tag in pencil) "Arena Flavored Choc Coating 200 lbs. net."

It was alleged in the information that the article was adulterated, in that a substance, to wit, cocoa shells, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and in that excessive cocoa shells had been substituted in part for chocolate coating which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Choc Coating," borne on the label, was false and misleading, in that the said statement represented that the article consisted wholly of chocolate coating, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of chocolate coating, whereas it did not so consist but did consist in part of excessive cocoa shells.

On November 7, 1927, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $300.

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

15607. Misbranding and alleged adulteration of canned corn. U. S. v. 292 Cases and 39 Cases of Canned Corn. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22325, 22340. I. S. Nos. 19732–x and 23602–x. S. Nos. 372, 388.)

On December 27 and December 31, 1927, the United States attorney for the Northern District of Illinois, 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 331 cases of canned corn, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by Carroon & Co., from Fowler, Ind., in two consignments, October 6, and October 14, 1927, respectively, and had been transported from the State of Indiana into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Cans) "Carroon's Fancy (or "Jolly Pals Brand") Country Gentleman Sugar Corn * * * Packed by Carroon & Co. Inc. Fowler, Ind."

It was alleged in the libels that the article was adulterated, in that a product, field corn, had been mixed and packed therewith, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "Country Gentleman Sugar Corn," borne on the labels, was false and misleading and deceived