16607. Adulteration of walnut meats. U. S. v. 18 Cartons of Walnut Meats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23659. I. S. No. 07349. S. No. 1899.)

On April 27, 1929, the United States attorney for the District of Wyoming, 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 18 cartons of walnut meats, remaining in the original unbroken packages at Sheridan, Wyo., alleging that the article had been shipped by the California Walnut Growers Association, on or about January 21, 1929, and transported from the State of California into the State of Wyoming, 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 was composed in part of a filthy, decomposed, and putrid vegetable substance.

On May 28, 1929, 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.*

16608. Adulteration of tomato catsup. U. S. v. 796 Cartons of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23572. I. S. No. 03297. S. No. 1773.)

On April 2, 1929, the United States attorney for the Eastern 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 796 cartons of tomato catsup, remaining in the original unbroken packages at Philadelphia, Pa., consigned by W. M. Harris & Son Co., Wyoming, Del., alleging that the article had been shipped from Wyoming, Del., on or about December 6, 1928, and transported from the State of Delaware into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Harris Star Brand Hot Catsup * * * Packed by W. M. Harris & Sons, Wyoming, Delaware."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance, an analysis of a sample of the product showing that it contained mold.

On July 16, 1929, 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.*

16609. Adulteration and misbranding of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23885. I. S. No. 02961. S. No. 2049.)

On June 20, 1929, the United States attorney for the Southern 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 a libel praying seizure and condemnation of 10 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Popejoy Creamery Co., from Popejoy, Iowa, on or before June 18, 1929, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On June 25, 1929, E. M. Guiney, Popejoy, Iowa, claimant, having admitted the allegations of the libel and having 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 deposit of $300, or the execution of a bond in like amount, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*