at Washington, N. J., alleging that the article had been shipped by the Flory Milling Co., Inc., Bangor, Pa., in two consignments, namely, on or about March 9 and 10, 1926, respectively, and transported from the State of Pennsylvania into the State of New Jersey, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Triangle Brand Cottonseed Meal * * * Guaranteed Analysis: Protein 43%."

Misbranding of the article was alleged in the libels for the reason that the statement "Protein 43%," borne on the labels, was false and misleading and deceived and misled the purchaser.

On June 3, 1926, the Warren Beatty Estate, Hackettstown, N. J., and J. Kreidel, Washington, N. J., having appeared as claimants for respective portions of the product, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of $750, conditioned in part that it be relabeled under the supervision of this department.

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

14357. Adulteration and misbranding of canned tomatoes. U. S. v. 105 Cases of Canned Tomatoes. Default order of destruction entered. (F. & D. No. 18269. I. S. No. 19348–v. S. No. C–4017.)

On January 17, 1926, the United States attorney for the Northern District of Ohio, 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 105 cases of canned tomatoes, at Tiffin, Ohio, alleging that the article had been shipped by A. J. Lewis, Walnut Point, Va., on or about October 5, 1923, and transported from the State of Virginia into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Potomac Brand Hand Packed Tomatoes * * * Packed By A. J. Lewis Walnut Point, Va."

Adulteration of the article was alleged in the libel for the reason that a substance, added puree pulp or juice from skins and cores, had been mixed and packed therewith so as to reduce, 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 statement "Hand Packed Tomatoes Our Extra Quality," borne on the label, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On April 26, 1926, no claimant having appeared for the property, judgment of the court was entered, ordering destruction of the product.

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

14358. Adulteration of canned shrimp. U. S. v. 38 Cases of Canned Shrimp. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20795. I. S. No. 1857–x. S. No. C–4940.)

On January 27, 1926, the United States attorney for the Northern District of Ohio, 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 38 cases of canned shrimp, at Toledo, Ohio, alleging that the article had been shipped by the Houma Packing Co., Houma, La., on or about August 18, 1925, and transported from the State of Louisiana into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Chef Fancy Shrimp Wet Pack."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid animal substance.

On April 27, 1926, 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.*

14359. Adulteration of milk. U. S. v. John W. Angell. Plea of guilty. Fine, $1. (F. & D. No. 14761. I. S. Nos. 14666–r, 14668–r.)

On June 29, 1921, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John W.

Angell, Holland, N. J., alleging shipment by said defendant, in violation of the food and drugs act, in two consignments, namely, on or about May 13 and 27, 1920, respectively, from the State of New Jersey into the State of Pennsylvania, of quantities of milk which was adulterated. The article was labeled in part: "J. W. Angell, Holland, N. J."

Examination by the Bureau of Chemistry of this department of samples of the article showed that it was partly skimmed milk.

Adulteration of the article was alleged in the information for the reason that a valuable constituent, to wit, butterfat, had been wholly or in part abstracted.

On April 5, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of $1.

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

14360. Adulteration of canned cherries. U. S. v. 50 Cases of Canned Cherries. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 19084. I. S. No. 16154-v. S. No. E-4993.)

On October 23, 1924, 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 50 cases of canned cherries, remaining in the original unbroken packages at Allentown, Pa., alleging that the article had been shipped from Lyndonville, N. Y., on or about August 9, 1924, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Lyndonville Brand Sour Pitted Cherries Lyndonville Canning Company, Lyndonville, N. Y."

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

On February 27, 1925, a claim and answer was entered by the Lyndonville Canning Co., Inc., Lyndonville, N. Y. On May 13, 1926, it appearing that the claimant did not desire to further prosecute the case, 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.*

14361. Adulteration of oranges. U. S. v. 462 Boxes of Oranges. Product released under bond to be sorted. Decree entered, finding product adulterated and ordering its release and bond discharged. (F. & D. No. 20164. I. S. No. 20556-v. S. No. W-1742.)

On July 2, 1925, 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 praying seizure and condemnation of 462 boxes of oranges, at Salt Lake City, Utah, alleging that the article had been shipped by the Monrovia Mutual Assoc., from Monrovia, Calif., on or about June 23, 1925, and transported from the State of California into the State of Utah, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Box) "Mission Hill Brand," (paper wrapper) "Select Oranges."

It was alleged in the libel that the article was adulterated, in that it contained an inedible product and substance that had been substituted wholly or in part for the said article.

On July 25, 1925, J. D. Masten, Los Angeles, Calif., having appeared as claimant for the property, an order of the court was entered, providing for the release of the product for the purpose of sorting and salvaging the good portions thereof. On February 15, 1926, the above order was amended to show its entry on July 25, 1925, nunc pro tunc, as of July 15, 1925. On July 25, 1925, the court having found that the product was adulterated within the meaning of the act, and that the sorting and inspection showed that practically all of the oranges were in a sound and salable condition and that only about 4 per cent showed any signs of frost whatever and none showed frost sufficient to cause broken cells, a decree was entered, ordering that it be released from the operation of the libel and the bond released.

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