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

On October 11, 1926, the G. C. Lovell Co., Mt. Airy, N. C., having appeared as claimant for the property, and the court having found that the allegations of the libel had been admitted, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of $2,000, conditioned in part that it not be disposed of contrary to law.

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

14638. Adulteration of mineral water. U. S. v. 329 Cases of Mineral Water. Consent decree entered. Water ordered destroyed. Containers released under bond. (F. & D. No. 21166. I. S. Nos. 1732–x, 1733–x. S. Nos. C–5194.)

On or about July 12, 1926, the United States attorney for the Western District of Louisiana, 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 329 cases of mineral water, at Shreveport, La., alleging that the article had been shipped by the Crazy Well Water Co., from Mineral Wells, Tex., on or about June 25, 1926, and transported from the State of Texas into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Crazy This is a Natural, Saline, Alkaline Mineral Water * * * The Crazy Well Water Company, Mineral Wells, Tex."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed and putrid substance, in that it contained "B" coli, an organism indicative of the presence of sewage adulteration.

On September 21, 1926, the claimant of the property having consented to its destruction, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the water be poured out and destroyed by the United States marshal. It was further ordered by the court that the bottles be delivered to the said claimant upon the execution of a bond in the sum of $500, conditioned that they be thoroughly sterilized.

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

14639. Adulteration and misbranding of ground black pepper. U. S. v. 2½ Barrels and 18 Pails of Ground Black Pepper. Default decree of condemnation, forfeiture and sale or destruction. (F. & D. No. 21133. I. S. Nos. 12234–x, 12235–x. S. No. C–5171.)

On June 16, 1926, the United States attorney for the District of Indiana, 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 2½ barrels and 18 pails of ground black pepper, remaining in the original unbroken packages at Fort Wayne, Ind., alleging that the article had been shipped by the Boston (Biston) Coffee Co., St. Louis, Mo., October 27, 1925, and transported from the State of Missouri into the State of Indiana, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance, namely ground rice, had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article had been mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statement "Ground Black Pepper," borne on the label, was false and misleading and deceived and misled the purchaser.

On September 28, 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 might be sold by the United States marshal after the obliteration of the labels and on the express condition that the purchaser use said property for his own use and not resell the same, and that if not sold it be destroyed by the marshal.

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