statement that it contained 60 per cent of protein, which statement was false and misleading and had a tendency to and did mislead and deceive purchasers in that the article did not contain 60 per cent of protein.

On April 12, 1923, 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 sold without labels by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11797. Adulteration of walnuts. U. S. v. 35 Sacks of Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17300. I. S. No. 4056–v. S. No. C–3912.)

On February 24, 1923, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 35 sacks of walnuts, remaining unsold in the original unbroken packages at Davenport, Iowa, alleging that the article had been shipped by the Gordon Van Storage Co., from Omaha, Nebr., on or about June 2, 1922, and transported from the State of Nebraska into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act.

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

On April 28, 1923, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11798. Adulteration and alleged misbranding of corn sirup jelly. U. S. v. 10 Cases of Jelly. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 17505. I. S. No. 8566–v. S. No. W–1379.)

On May 9, 1923, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 10 cases of jelly, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Corn Products Refining Co., from Kansas City, Mo., February 13, 1923, and transported from the State of Missouri into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Rex * * * Corn Syrup Apple Jelly Made With Approximately 75% Corn Syrup And 25% Juice From Apple Parings. Contains Added Phosphoric Acid And Vegetable Color. Net Weight 10 Pounds Manufactured By Corn Products Refining Co. General Offices: New York, U. S. A."

Adulteration of the article was alleged in the libel for the reason that pectin had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that acidified corn sirup pectin jelly had been substituted wholly or in part for corn sirup apple jelly containing phosphoric acid and color.

Misbranding was alleged for the reason that the statement, "Corn Syrup Apple Jelly," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On June 12, 1923, the Corn Products Refining Co., claimant, having admitted the allegations of the libel and confessed judgment, a decree of condemnation and forfeiture was entered on the ground that the product was adulterated, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $500, in conformity with section 10 of the act, conditioned in part that it be relabeled under the direction of this department.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11799. Adulteration and misbranding of grape flavor. U. S. v. 17 Gallons of Alleged Grape Flavor. Consent decree providing for release of product under bond to be relabeled. (F. & D. No. 17655. I. S. No. 1373–v. S. No. E–4444.)

On July 16, 1923, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemna-