

15088. Adulteration of oranges. U. S. v. 90 Boxes of Oranges. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21779. I. S. No. 12481-x. S. No. C-5414.)

On March 16, 1927, the United States attorney for the Southern 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 90 boxes of oranges, remaining in the original unbroken packages at Cincinnati, Ohio, consigned about March 11, 1927, alleging that the article had been shipped by the Volusia Growers, Inc., DeLand, Fla., and transported from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "University Brand A F G American Fruit Growers Inc., Orlando, Fla., Packed by Volusia Growers Inc. DeLand, Fla. Oranges."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

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

On March 19, 1927, the American Fruit Growers, Inc., Orlando, Fla., having appeared as claimant for the property 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 the costs of the proceedings and the execution of a bond in the sum of \$300, conditioned in part that it be salvaged under the supervision of this department, by removing all decomposed fruit for destruction.

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

15089. Misbranding of meat and bone scrap. U. S. v. 193 Bags and 100 Bags of Meat and Bone Scrap. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21202. I. S. Nos. 7865-x, 7866-x. S. No. E-5819.)

On August 3, 1926, the United States attorney for the Eastern District of Virginia, 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 293 sacks of meat and bone scrap, at Richmond, Va., alleging that the article had been shipped by the Berg Co., Inc., Philadelphia, Pa., on or about July 1, 1926, and transported from the State of Pennsylvania into the State of Virginia, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "100 Lbs. Berg's * * * Poultry Meat & Bone Scrap Guaranteed Analysis Min. Protein 55.00% " (or "45.00% ") "Manufactured by The Berg Co., Inc., Philadelphia, Pa."

It was alleged in the libel that the article was misbranded, in that the statements "Guaranteed Analysis Min. Protein 55.00%" or "45.00%," as the case might be, were false and misleading and deceived and misled the purchaser, since the article did not contain the amount of protein declared on the label, but did contain a smaller quantity.

On August 13, 1926, the Berg Co., Inc., Philadelphia, Pa., having appeared as claimant for the property, 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 \$500, conditioned in part that it be relabeled in accordance with the law.

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

15090. Adulteration and misbranding of meat scraps. U. S. v. 113 Sacks and 130 Sacks of Notalco Meat Scraps. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21641. I. S. Nos. 13547-x, 13548-x. S. No. E-5980.)

On or about February 18, 1927, the United States attorney for the Southern District of Florida, 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 243 sacks of meat scraps, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Norfolk Tallow Co., from Norfolk, Va., on or about January 10, 1927, and transported from the State of Virginia into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. A portion of the article was labeled in part: "Manufactured by the Norfolk Tallow Co., Norfolk, Va., Notalco A A High Grade Meat Scraps * * * Guaranteed Analysis: Protein Min. 45% * * * Phos. Acid Max. 10%." The remainder of the said article was labeled in part: "Manufactured by the Nor-

Norfolk Tallow Co., Norfolk, Va. Notalco Extra Quality Meat Scraps * * *
 Guaranteed Analysis Protein Min. 55% * * * Phos. Acid. Max. 10%."

It was alleged in the libel that the article was adulterated, in that meat scraps deficient in protein had been substituted in part for the said article.

Misbranding was alleged for the reason that the labels bore statements, "Guaranteed Analysis Protein Min. 45%," or "Protein Min. 55%," as the case might be, which were false and misleading and deceived and misled the purchaser.

On March 16, 1927, the Norfolk Tallow Co., Inc., 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 the execution of a bond in the sum of \$1,000, conditioned in part that it be reworked and relabeled to contain the amount of protein in accordance with the guarantee.

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

15091. Adulteration of tomato puree. U. S. v. 1,500 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20957. I. S. Nos. 6691-x, 6692-x, 6693-x. S. No. E-5213.)

On March 25, 1926, the United States attorney for the Southern District of Florida, 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 1,500 cases of tomato puree, remaining in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped by the Cates Canning Co., from Cates, Ind., in various consignments, on or about October 5, 10, and 24, 1925, respectively, and transported from the State of Indiana into the State of Florida, 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 consisted in part of a filthy, decomposed, and putrid vegetable substance.

On May 3, 1927, 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.*

15092. Adulteration of oranges. U. S. v. 300 Boxes of Oranges. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21852. I. S. No. 3863-x. S. No. C-5445.)

On March 24, 1927, the United States attorney for the Eastern District of Texas, 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 boxes of oranges, remaining in the original unbroken packages at Beaumont, Tex., alleging that the article had been shipped by R. W. Burch, Plant City, Fla., on or about March 16, 1927, and transported from the State of Florida into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "R. W. Burch Plant City, Fla. Oranges Puritan Grapefruit."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

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

On March 30, 1927, the Stedman Fruit Co., Beaumont, Tex., having appeared as claimant for the property and having admitted the material allegations of the libel, 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 the costs of the proceedings and the execution of a good and sufficient bond, conditioned in part that it be repacked and reassorted under the supervision of this department, and the adulterated or damaged oranges destroyed.

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

15093. Misbranding and alleged adulteration of preserves. U. S. v. 19 Cases of Strawberry Preserves, et al. Decree entered adjudging products misbranded and ordering their release under bond. (F. & D. No. 21053. I. S. Nos. 12252-x, 12253-x, 12254-x, 12255-x. S. No. C-5085.)

On or about May 29, 1926, the United States attorney for the Eastern District of Michigan, 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