16924. Adulteration and misbranding of grape juice. U. S. v. 13 Cases, et al., of Grape Juice. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23923, 23969. I. S. Nos. 09729, 018201. S. Nos. 2177, 2188.)

On August 22, 1929, the United States attorney for the District of Oregon, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 5 cases, quart size, and 88 cases, pint size, of grape juice, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Eckert Fruit Co., in part on or about June 24, 1929, from Tacoma, Wash., and in part on or about August 8, 1929, from Grapeview, Wash., and transported from the State of Washington into the State of Oregon, and charging adulteration with respect to a portion of the article and adulteration and misbranding with respect to the remainder thereof in violation of the food and drugs act as amended. The article was labeled in part: (Bottles) "One Pint Net (or "One Quart Net") Serv-Us Brand Grape Juice * * * Serv-Us Grocery Products Corp'n., Distributors, Buffalo, N. Y."

It was alleged in the libel with respect to a portion of the article that it was adulterated in that a substance, water, had been mixed and packed with and substituted in part for the said article. Adulteration was alleged with respect to the remainder of the said article for the reason that a substance, water, had been mixed and packed with and substituted in part for the article, so as to lower or reduce or injuriously affect its quality or strength. Misbranding was alleged with respect to a portion of the product for the reason that the statements, "Grape Juice," "One Pint," and "One Quart," borne on the labels, were false and misleading and deceived and mislead the purchaser. Misbranding was alleged with respect to the said portion for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the quantity stated was not correct.

On November 6, 1929, the Eckert Fruit Co., Tacoma, Wash., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of good and sufficient bonds in conformity with section 10 of the act, conditioned in part that it should not be sold or otherwise disposed of until relabeled in a manner satisfactory to this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16925. Adulteration of walnut meats. U. S. v. 3 Cartons of Walnut Meats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23660. I. S. No. 07348. S. No. 1900.)

On April 29, 1929, the United States attorney for the District of Montana, 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 3 cartons of walnut meats at Billings, Mont., alleging that the article had been shipped by Leon Mayer, from Los Angeles, Calif., on or about March 9, 1929, and transported from the State of California into the State of Montana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Mayers California Standard Ambers, 25 Pounds Net When Packed."

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 August 13, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*