

16966. Misbranding of dairy feed. U. S. v. 31 Bags of Dairy Feed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24102. I. S. No. 012413. S. No. 2358.)

On October 2, 1929, 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 seizure and condemnation of 31 bags of dairy feed, remaining in the original unbroken packages at Cumberland, Md., alleging that the article had been shipped by the Akron Feed & Milling Co., from Akron, Ohio, on or about July 22, 1929, and transported from the State of Ohio into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Akron Dairy Feed Analysis Protein 24.0% * * * Made by The Akron Feed & Milling Co., Akron, Ohio."

It was alleged in the libel that the article was misbranded in that the statement borne on the label, "Analysis Protein 24.0%," was false and misleading and deceived and misled the purchaser.

On December 18, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16967. Adulteration of canned blueberries. U. S. v. 86 Cases of Canned Blueberries. Consent decree of condemnation and forfeiture. Product released under bond to be salvaged. (F. & D. No. 24276. I. S. No. 024050. S. No. 2515.)

On November 22, 1929, 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 a libel praying seizure and condemnation of 86 cases of canned blueberries at Newark, N. J., alleging that the article had been shipped by the Stinson & Crabtree Co., Hancock, Me., on or about September 25, 1929, and transported from the State of Maine into the State of New Jersey, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Calevan Brand Fancy Maine Blueberries Packed by Stinson & Crabtree Co., Hancock, Maine."

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

On December 17, 1929, the Stinson & Crabtree Co., Hancock, Me., claimant, having admitted the allegations of the libel and having consented to the entry of a decree condemning and forfeiting the product, judgment was entered ordering that it be delivered to the claimant at Hancock, Me., to be reconditioned, upon payment of costs and the execution of a bond in the sum of \$500. It was further ordered by the court that the portion of the product that could not be satisfactorily reconditioned, or the entire lot, in the event of failure to satisfactorily recondition it, be condemned and destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16968. Adulteration and misbranding of vinegar. U. S. v. 16 Barrels of Liquid Purporting To Be Pure Cider Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24172. I. S. No. 08102. S. No. 2402.)

On October 23, 1929, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of 16 barrels of vinegar at Washington, D. C., alleging that the article had been offered for sale in the District of Columbia by the Washington Supply Market, Washington, D. C., and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Shenandoah Maid 4% Pure Cider Vinegar * * * Manufactured by Shenandoah Apple Products Corporation Strasburg, Va."

It was alleged in the libel that the article was adulterated in that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted wholly or in part for pure cider vinegar which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Pure Cider Vinegar," borne on the label, was false and misleading in that the said statement represented that the article was pure cider vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead