

On February 5, 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.*

16309. Adulteration of pecan halves. U. S. v. 8 Barrels of Pecan Halves. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23212. I. S. No. 03616. S. No. 1317.)

On November 28, 1928, the United States attorney for the Southern District of New York, 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 8 barrels of pecan halves, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the G. A. Duerler Mfg. Co., from San Antonio, Tex., on or about June 1, 1927, and transported from the State of Texas into the State of New York, 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 and decomposed vegetable substance.

On February 6, 1929, Claude H. Jones (Inc.), New York, N. Y., 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 payment of costs and the execution of a bond in the sum of \$600, conditioned in part that the good portion be separated from the bad portion and the latter destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16310. Adulteration and misbranding of canned crushed raspberries and canned raspberries. U. S. v. 18 Cases of Crushed Raspberries, et al. Decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 23553. I. S. Nos. 02520, 02521. S. No. 1329.)

On March 22, 1929, the United States attorney for the District of Massachusetts, 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 18 cases, each containing 6 tins of crushed raspberries, and 12 cases, each containing 6 tins of raspberries, remaining in the original unbroken packages at Boston, Mass., consigned about October 12, 1928, alleging that the article had been shipped by the Hood River Canning Co., Hood River, Oreg., and transported from the State of Oregon into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated in that a substance containing added sugar and benzoate of soda, mixed and colored in a manner whereby damage or inferiority was concealed, had been substituted wholly or in part for the said article and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the statements "Crushed Raspberries," regarding the crushed raspberry lot, and "Raspberries," regarding the raspberry lot, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct, and for the further reason that it was offered for sale under the distinctive name of another article.

On April 9, 1929, the Hood River Canning Co., Hood River, Oreg., having appeared as claimant for the property and having admitted the 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 costs and the deposit of collateral in the sum of \$300 in lieu of bond, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16311. Misbranding of butter. U. S. v. 135 Prints of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23597. I. S. No. 07716. S. No. 1687.)

On or about February 20, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture,