

**15203. Adulteration of canned stringless beans. U. S. v. 290 Cases of Stringless Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20645. I. S. No. 4244-x. S. No. C-4876.)**

On November 24, 1925, the United States attorney for the Western District of Oklahoma, 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 290 cases of canned stringless beans, remaining in the original unbroken packages at Lawton, Okla., alleging that the article had been shipped from Washburn, Mo., on or about August 18, 1925, and transported from the State of Missouri into the State of Oklahoma, and charging adulteration in violation of the food and drugs act. The article was labeled, in part: (can) "Rush Brand Stringless Beans \* \* \* Packed by Rush Canning Company, Washburn, Mo."

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

On October 18, 1926, 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.*

**15204. Misbranding of tankage and meat scrap. U. S. v. 100 Sacks of Digester Tankage, et al. Consent decrees of condemnation and forfeiture. Products released under bond. (F. & D. Nos. 21658, 21659, 21660, 21661. I. S. Nos. 9366-x, 9367-x. S. No. C-5328.)**

On or about February 26, and March 3, 1927, respectively, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 115 sacks of tankage and 27 sacks of meat scrap, remaining in the original unbroken packages, in part at Galveston, Ind., and in part at Camden, Ind., alleging that the articles had been shipped by the Packer Products Co., Chicago, Ill., October 23, 1926, and transported from the State of Illinois into the State of Indiana, and charging misbranding in violation of the food and drugs act. The tankage was labeled in part: "Porker Brand \* \* \* digester tankage \* \* \* crude protein 60 per cent, Packer Products Company, Chicago, Ill., not less than 6.0 per cent crude fat." The meat scrap was labeled in part: "50 per cent protein Meat Scrap Analysis protein 50 per cent Packer Products Company, Chicago."

It was alleged in the libels that the articles were misbranded, in that the statements, "crude protein 60 per cent \* \* \* not less than 6.0 per cent crude fat," with respect to the tankage, and "protein 50 per cent," with respect to the meat scrap, were false and misleading and deceived and misled the purchaser.

On April 11, and April 12, 1927, respectively, the Urmston Grain & Seed Co., Camden, Ind., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered and it was ordered by the court that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond totaling \$1,000, conditioned in part that they not be sold or otherwise disposed of contrary to law.

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

**15205. Adulteration of grapefruit. U. S. v. 16 Boxes of Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21841. I. S. No. 14554-x. S. No. E-6076.)**

On March 31, 1927, 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 16 boxes of grapefruit, remaining in the original unbroken packages at Springfield, Mass., consigned about March 9, 1927, alleging that the article had been shipped by W. H. Mouser & Co., Sparlin, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

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.

During the month of May, 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.*

**15206. Adulteration of oranges. U. S. v. 336 Boxes of Oranges. Product ordered destroyed. (F. & D. No. 21835. I. S. No. 16409-x. S. No. E-6075.)**

On March 26, 1927, 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 336 boxes of oranges, remaining in the original unbroken packages at Boston, Mass., consigned March 16, 1927, alleging that the article had been shipped by the Weirsdale Packing Co., Weirsdale, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

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 April 7, 1927, a warrant to destroy the product was issued on oral order of the court.

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

**15207. Misbranding and alleged adulteration of vinegar. U. S. v. 17 Barrels of Vinegar. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 19383. I. S. No. 16889-v. S. No. E-5042.)**

On December 22, 1924, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on January 8, 1925, an amendment to the said libel, praying seizure and condemnation of 17 barrels of vinegar, at Burlington, Vt., consigned by L. C. Forman & Sons, Inc., Canastota, N. Y., about September 18, 1924, alleging that the article had been shipped from the State of New York into the State of Vermont, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated in violation of section 7 of the act, and was misbranded, in that it was labeled "Pure Apple Cider Vinegar Reduced to 4 Per Centum, Manufactured by L. C. Forman & Sons, Inc., Pittsford, N. Y.," when in fact the said vinegar contained evaporated apple products vinegar.

On February 4, 1927, L. C. Forman & Sons, Inc., Pittsford, N. Y., having appeared as claimant for the property, a decree was entered adjudging the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, conditioned in part that it not be sold or otherwise disposed of contrary to law.

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

**15208. Misbranding of dairy feed. U. S. v. 220 Packages of Dairy Feed. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21037. I. S. No. 8904-x. S. No. C-5081.)**

On April 29, 1926, the United States attorney for the Western District of Wisconsin, 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 220 packages of dairy feed, remaining in the original unbroken packages at Waunakee, Wis., alleging that the article had been shipped by the Iowa Milling Co., Cedar Rapids, Iowa, on or about February 27, 1926, and transported from the State of Iowa into the State of Wisconsin, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Iowa Dairy Feed Manufactured by Iowa Milling Co., Cedar Rapids, Iowa. Protein 16%, Fat 4.5%, Fiber 12.5%."

Misbranding of the article was alleged in the libel for the reason that the statement "Protein 16%," borne on the label, was false and misleading and deceived and misled purchasers, since the said article did not contain 16 per cent of protein.