

ing in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by R. Gerber & Co., from Sharpsville, Ind., November 29, 1926, and transported from the State of Indiana into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (can) "Concentrated Tomato Concentrato di Pomodoro Liberty Bell Brand."

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 June 20, 1927, John S. Mitchell, 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 delivered to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$6,000, conditioned in part that a portion be segregated from the balance and shipped to the claimant, in care of the Sharpsville Canning Co., Sharpsville, Ind., to be destroyed under the supervision of this department, and the remainder released.

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

15266. Adulteration of tangerines. U. S. v. 47 boxes of Tangerines. Default order of destruction entered. (F. & D. No. 21806. I. S. No. 16587-x. S. No. E-6047.)

On March 17, 1927, the United States attorney for the Middle District of Pennsylvania, 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 47 boxes of tangerines at Wilkes-Barre, Pa., alleging that the article had been shipped by the Umatilla Fruit Co., from Paola, Fla., on or about March 3, 1927, and transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: "Red Warrior Brand," and the remainder was labeled "Dis Am Grown in Dixie Brand."

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 14, 1927, no claimant having appeared for the property, and the product having been condemned by the properly constituted authorities, a decree was entered ordering that it be destroyed by the United States marshal.

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

15267. Adulteration of rum flavored cherries. U. S. v. 6½ Dozen Bottles of Rum Flavored Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21657. I. S. No. 12734-x. S. No. W-2097.)

On February 21, 1927, the United States attorney for the District of Colorado, 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 6½ dozen bottles of rum flavored cherries, remaining in the original unbroken packages at Denver, Colo., alleging that the article had been shipped from Seattle, Wash., on or about January 20, 1927, and transported from the State of Washington into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (bottle) "Non-Alcoholic Chocolate Covered Rum Flavored Cherries. Manufactured by Robinette's, Inc., * * * Seattle, Wash.," (sticker) "Chocolate Covered Cherries."

It was alleged in the libel that the article was adulterated in violation of section 7 of the act, in the case of confectionery, in that it contained alcohol.

On June 11, 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.*