

The Nutrena Feed Mills (Inc.), Kansas City, Kans., appeared as claimant for 600 sacks of the product. Claim was interposed for 600 sacks of the product by Lawrence Trickett, Kansas City, Kans., as receiver appointed by the court in an action in the State courts involving the said 600 sacks. On November 23, 1928, and December 24, 1928, respectively, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the said 1,200 sacks be released to the respective claimants upon payment of costs and the execution of bonds totaling \$1,000, conditioned in part that it be relabeled to show the true contents.

On May 16, 1930, the Packers Product Co., Cedar Rapids, Iowa, having appeared as claimant for the remaining 1,000 sacks of the article, judgments were entered finding the said portion adulterated and ordering its condemnation, and it was further ordered by the court that the said 1,000 sacks of the product be released to the Packers Product Co., upon payment of costs and the execution of bonds totaling \$2,000, conditioned in part that it be relabeled to show the true contents.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17490. Adulteration of canned cherries. U. S. v. Frederick B. Huxley and Phillip F. Huxley (F. B. Huxley & Son). Pleas of guilty. Fines, \$100. (F. & D. No. 23737. I. S. Nos. 03141, 03143, 03144.)

Samples of the canned cherries from the herein-described interstate shipments having been found to contain worms and decayed cherries, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of New York.

On June 24, 1929, the said United States attorney filed in the District Court of the United States aforesaid an information against Frederick B. Huxley and Phillip F. Huxley, copartners trading as F. B. Huxley & Son, Ontario, N. Y., alleging shipment by said defendants, in violation of the food and drugs act, from the State of New York into the State of Pennsylvania, on or about July 18, July 20, July 26, and July 31, 1928, respectively, of quantities of canned cherries which were adulterated. The article was labeled in part: (Cans) "Huxson Brand Pitted Red Sour Cherries * * * Packed by F. B. Huxley & Son, Ontario, N. Y."

It was alleged in the information that the article was adulterated in that it consisted in part of filthy, decomposed, and putrid animal and vegetable substances.

On June 4, 1930, the defendants entered pleas of guilty to the information, and the court imposed fines totaling \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17491. Misbranding of table sirup. U. S. v. Four 5-Gallon Cans of Table Sirup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24589. I. S. No. 022543. S. No. 2907.)

Samples of the table sirup from the herein-described shipment having been found to have the color and flavor of maple sirup, the Secretary of Agriculture reported the matter to the United States attorney for the District of South Dakota.

On March 5, 1930, the United States attorney filed in the District Court of the United States for the said district a libel praying seizure and condemnation of four 5-gallon cans of table sirup, remaining in the original unbroken packages at Deadwood, S. Dak., alleging that the article had been shipped by the Early Coffee Co., Denver, Colo., on or about February 5, 1930, and had been transported from the State of Colorado into the State of South Dakota, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Early's Blue Label Table Syrup * * * contents corn syrup with cane sugar imitation maple flavored * * * manufactured by the Early Coffee Co., Denver, Colo."

It was alleged in the libel that the article was misbranded in that it was an imitation of another article.

On May 22, 1930, 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.*