On February 11, 1931, the Loose Wiles Biscuit Co., a New Jersey corporation, 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 execution of a bond in the sum of $200, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18023. Adulteration of dried dates. U. S. v. 1,368 Packages of Dried Dates. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25572. I. S. No. 12068. S. No. 3860.)

Samples of dates from the shipment herein described having been found to be wormy, smutty, and beetle-infested, the Secretary of Agriculture reported the matter to the United States attorney for the District of Colorado.

On December 29, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 1,368 packages of dried dates, remaining in the original unbroken packages at Pueblo, Colo., consigned by the Acme Fruit Packing Co., New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about October 20, 1930, and transported from the State of New York into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Package) "Cavalier Brand Superior Quality Oriental Dates * * * Sanitarily Packed Acme Fruit Packing Co., Inc., New York."

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 February 6, 1931, 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.*

18024. Adulteration and misbranding of raspberry juice. U. S. v. 46 Cans of Raspberry Juice. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25555. I. S. No. 5072. S. No. 3822.)

Samples of raspberry juice from the shipment herein described having been found to contain added water, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On December 24, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 46 cans of raspberry juice, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Washington Berry Growers Packing Corporation, from Sumner, Wash., on or about September 15, 1930, and had been transported from the State of Washington into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Red Raspberry Juice;" (case) "Red Raspberries Juice Packed by Washington Berry Growers Pkg. Corp., Sumner, Wash."

It was alleged in the libel that the article was adulterated in that a substance, water, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength, and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statements appearing on the labeling of the product, (can) "Red Raspberry Juice," and (case) "Red Raspberries Juice," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was sold under the distinctive name of another article.

On February 16, 1931, the H. A. Johnson Co., Boston, Mass., 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 execution of a bond in the sum of $300, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*