Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On February 9, 1923, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11477. Adulteration of oranges. U. S. v. 40 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17392. I. S. No. 1366-v. S. No. E-4335.)

On March 22, 1923, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 40 boxes of oranges, remaining in the original unbroken packages at Baltimore, Md., consigned February 28, 1923, alleging that the article had been shipped by R. W. Burch, from Wauchula, Fla., and transported from the State of Florida into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "R. W. Burch Puritan Oranges Plant City, Fla."

Adulteration of the article was alleged in the libel for the reason that an inedible substance, to wit, tree dried oranges, had been substituted in whole or in part for an edible product, oranges. Adulteration was alleged for the further reason that the article consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 3, 1923, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11478. Misbranding and alleged adulteration of flour. U. S. v. 410 Sacks of Flour. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17405. I. S. No. 7921-v. S. No. W-1364.)

On March 26, 1923, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 410 sacks of flour, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Garland Milling Co., Garland, Utah, alleging that the article had been shipped from Garland, Utah, on or about March 3, 1923, and transported from the State of Utah into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Garland Roller Mills Choicest Hard Wheat Pride of Utah 98 Lbs. Garland Milling Co. Garland, Utah."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality, and for the further reason that bleached flour containing excessive moisture had been substituted wholly or in part for the said article.

Misbranding of the article was alleged for the reason that the statements, "Choicest Hard Wheat * * * 98 Lbs.," were false and misleading and deceived and misled the purchaser since the product was not flour unqualified but was bleached flour, and the sacks contained less than 98 pounds of the article. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package since the quantity stated was not correct.

On April 13, 1923, the Garland Milling Co., Garland, Utah, having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, the court finding the product to be misbranded, and it was ordered that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $2,000, in conformity with section 10 of the act, conditioned in part that it be relabeled in a manner satisfactory to the department.

HOWARD M. GORE, *Acting Secretary of Agriculture.*