

5496. Adulteration of oranges. U. S. * * * v. 381 Cases of Oranges * * *. Consent decree ordering release of good portion of product. Unfit portion ordered destroyed. (F. & D. No. 8197. I. S. No. 12264-m. S. No. C-685.)

On March 24, 1917, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, a libel for the seizure and condemnation of 381 cases of oranges, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about March 13, 1917, by the Sutherland Fruit Co., Riverside, Cal., and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Sutherland Fruit Company, California Banner Brand Oranges."

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

On March 31, 1917, the Fruit Supply Co., St. Louis, Mo., claimant, having filed its answer to the libel, it was ordered by the court that so much of the product as might be found by inspectors of this department to be fit for food purposes should be delivered to said claimant upon the payment of the costs of the proceedings, and upon the further condition that the portion of the product so released should not be disposed of contrary to law, and it was further ordered that the portion of the product found unfit for food should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*