

14270. Adulteration of canned sardines. U. S. v. 465½ Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 20434 to 20440, incl. I. S. Nos. 1827-x, 1831-x, 1832-x, 1834-x, 1836-x, 19790-v, 19792-v. S. Nos. C-5025, C-5026.)

On September 15, 1925, the United States attorney for the Eastern District of Kentucky, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 465½ cases of sardines, remaining in the original packages in various lots at Ashland, Greenup, Russell, and Paintsville, Ky., respectively, consigned by the Maine Cooperative Sardine Co., alleging that the article had been shipped in interstate commerce from St. Andrews, N. B., Canada, into the State of Kentucky, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "American Sardines In Cottonseed Oil, Packed at Eastport, Washington Co., Me., By L. D. Clark & Son * * * Banquet Brand."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On May 12, 1926, 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.*

14271. Adulteration of shell eggs. U. S. v. 385 Cases, et al., of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 20996 to 21000, incl. I. S. Nos. 12138-x to 12142-x, incl. S. Nos. C-5057 to C-5061, incl.)

On March 19, 1926, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 1,604 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the J. E. Brewer Produce Co., from Abilene, Kans., between the dates of March 13 and 20, 1925, and transported from the State of Kansas into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 3, 1926, the Town Stores Co., Chicago, Ill., 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 released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be candled under the supervision of this department, and the bad portion destroyed and the good portion released.

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

14272. Misbranding and alleged adulteration of evaporated apples. U. S. v. 258 Boxes and 260 Boxes of Evaporated Apples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20845. I. S. Nos. 1280-x, 1281-x. S. No. C-4950.)

On February 11, 1926, the United States attorney for the Northern District of Illinois, 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 518 boxes of evaporated apples, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Standard Apple Products, Inc., from Red Creek, N. Y., October 27, 1925, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "50 Lbs. Net La Perla" (or "Victor") "Evaporated Apples Sulphured Packed By Standard Apple Products Inc., Rochester, N. Y."

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

Misbranding was alleged for the reason that the statement "50 Lbs. Net Evaporated Apples," borne on the label, was false and misleading and deceived and misled the purchaser, and 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.

On April 21, 1926, John H. Leslie & Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, and the court having found all the material allegations of the libel to be true, a decree was entered, adjudging the product to be misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be relabeled to show the correct net weight.

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

14273. Adulteration of tomato puree. U. S. v. 65 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20782. I. S. No. 1349-x. S. No. C-4934.)

On January 21, 1926, the United States attorney for the Northern District of Illinois, 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 65 cases of tomato puree, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Frankton Ideal Canning Co., from Frankton, Ind., October 17, 1925, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Scout Brand Tomato Puree."

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

On March 19, 1926, 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.*

14274. Misbranding of cottonseed meal. U. S. v. 286 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20810. I. S. No. 373-x. S. No. W-1861.)

On February 8, 1926, 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 286 sacks of cottonseed meal, remaining in the original unbroken packages at Denver, Colo., consigned by the Munday Cotton Oil Co., alleging that the article had been shipped from Munday, Tex., on or about January 18, 1926, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "43% Protein Cottonseed Meal Prime Quality Manufactured by Munday Cotton Oil Company Munday, Texas. Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent."

Misbranding of the article was alleged in the libel for the reason that the statement "Protein not less than 43.00 Per Cent," borne on the label, was false and misleading and deceived and misled the purchaser, since the product did not contain 43 per cent of protein.

On March 9, 1926, the Munday Cotton Oil Co., Munday, Tex., 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 released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

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

14275. Misbranding of Mecca compound. U. S. v. 9 Dozen Packages, et al., of Mecca Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20867. I. S. Nos. 796-x, 797-x. S. No. W-1662.)

On February 26, 1926, the United States attorney for the Northern 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 seizure and condemnation of 9 dozen 2-ounce packages and 9 13-ounce packages of Mecca compound, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Foster-Dack