

true quantity of the contents was not plainly and conspicuously marked on the outside of said sacks.

On December 10, 1927, Rudy Patrick & Co., Kansas City, Mo., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation 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 \$500, conditioned in part that it should not be sold or offered for sale in violation of the law.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15775. Adulteration of fig pulp. U. S. v. 689 Cases of Fig Pulp. Default decree of condemnation and destruction. (F. & D. No. 22196. I. S. No. 14493-x. S. No. 261.)

On November 21, 1927, the United States attorney for the Southern District of Iowa, 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 689 cases of fig pulp, remaining unsold in the original packages at Davenport, Iowa, alleging that the article had been shipped by Guggenlime & Co., from Fresno, Calif., on or about August 16, 1927, and transported from the State of California into the State of Iowa, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Pansy Brand California Fig Pulp. * * * Guggenlime & Co., California."

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 29, 1928, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15776. Adulteration of canned cherries. U. S. v. 30 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22464. I. S. No. 16368-x. S. No. 573.)

On February 16, 1928, the United States attorney for the Middle District of Pennsylvania, 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 30 cases of canned cherries, remaining in the original unbroken packages at Wilkesbarre, Pa., alleging that the articles had been shipped by H. C. Hemingway & Co., from Lockport, N. Y., on or about December 2, 1927, and had been transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Schuyler Brand Pitted Cherries * * * H. C. Hemingway & Co. Distributors, Syracuse, N. Y."

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, to wit, wormy cherries.

On May 22, 1928, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15777. Adulteration and misbranding of cocoa. U. S. v. 4 50-Pound Drums, et al, of Cocoa. Decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22717, 22718. I. S. Nos. 17951-x, 17952-x. S. Nos. 740, 741.)

On April 19, 1928, the United States attorney for the District of Wyoming, 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 4 50-pound drums, 8 25-pound drums, and 1 barrel of cocoa, remaining in the original unbroken packages at Cheyenne, Wyo., alleging that the article had been shipped in part by E. & A. Opler, Inc., from Chicago, Ill., on or about February 29, 1928, and in part from Denver, Colo., on or about February 9, 1928, and transported from the States of Illinois and Colorado, respectively, into the State of Wyoming, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "E. and A. Opler, Inc., Chicago;" (drums) "Satisfaction Cocoa;" (barrel) "Opler's Pure Cocoa."

It was alleged in substance in the libel that the article was adulterated in that cocoa shell had been mixed and packed therewith so as to reduce, lower,

and injuriously affect its quality and strength, and had been substituted in part for cocoa.

Misbranding was alleged for the reason that the said drums and barrel bore labels representing that the contents thereof were pure cocoa, whereas cocoa shells had been mixed and packed with and substituted in part for cocoa. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article, namely, cocoa.

On June 15, 1928, E. & A. Opler, Inc., Chicago, Ill., 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 the costs of the proceedings and the execution of a bond in the sum of \$100, conditioned in part that it should not be sold or otherwise disposed of contrary to law, and that the containers be relabeled to show the contents thereof.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15778. Adulteration of walnuts. U. S. v. 10 Bags of Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22295. I. S. No. 20419-x. S. No. 345.)

On December 17, 1927, the United States attorney for the Eastern District of Virginia, 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 10 bags of walnuts, remaining unsold at Alexandria, Va., alleging that the article had been shipped by the Frank P. Kruger Co., Inc., New York, N. Y., on or about October 1, 1927, and transported from the State of New York into the State of Virginia, and charging adulteration in violation of the food and drugs act.

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

On June 4, 1928, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15779. Adulteration of fig bars. U. S. v. 72 Boxes of Fig Bars. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22301. I. S. No. 17535-x. S. No. 335.)

On December 17, 1927, the United States attorney for the District of Arizona, 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 72 boxes of fig bars, remaining in the original packages at Phoenix, Ariz., alleging that the article had been shipped by the Old Mission Fig Bar Co., from Oakland, Calif., in part on or about November 8, 1927, and in part on or about November 12, 1927, and had been transported from the State of California into the State of Arizona, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Old Mission Fig Bars Made by Mothers Cookie Co., Oakland, Calif. Whole Wheat 12 Lbs. Net Weight Sun Mercantile Co., Phoenix, Ariz."

It was alleged in substance in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance and was unfit for food.

On April 16, 1928, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15780. Adulteration of grapefruit. U. S. v. 332 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22691. I. S. No. 22003-x. S. No. 655.)

On or about March 3, 1928, 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 332 boxes of grapefruit, remaining in the original unbroken packages at Denver, Colo., consigned by L. Maxcy, Inc., South Lake Weir, Fla., alleging that the article had been shipped from South Lake Weir, Fla., on or about February 21, 1928, and transported from the State of Florida into the