

On February 11, 1929, 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.*

16190. Adulteration and misbranding of cottonseed meal. U. S. v. 400 Sacks of Alleged Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23324. I. S. No. 01797. S. No. 1443.)

On January 9, 1929, 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 seizure and condemnation of 400 sacks of alleged cottonseed meal, remaining in the original unbroken packages at Barnesville, Md., alleging that the article had been shipped by the Ashcraft-Wilkinson Co., from Hollandale, Miss., on or about December 20, 1928, and transported from the State of Mississippi into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Paramount Brand Prime Cotton Seed Meal Ashcraft-Wilkinson Co., Atlanta, Georgia. Guaranteed Analysis Protein (minimum) 36.00%."

It was alleged in the libel that the article was adulterated in that cottonseed feed, a product which contained less than 36 per cent of protein, had been substituted wholly for the said article and had been mixed and packed with it so as to reduce and lower its quality and strength.

Misbranding was alleged for the reason that the statement on the label "Cotton Seed Meal Guaranteed Analysis Protein (minimum) 36.00%" was false and misleading and deceived and misled the purchaser when applied to a cottonseed feed product which contained less than 36 per cent of protein.

On February 4, 1929, the Ashcraft-Wilkinson Co., Atlanta, Ga., having appeared as claimant for the property, 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 \$2,000, conditioned in part that it should not be sold or disposed of until relabeled as cottonseed feed and to show its true protein content.

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

16191. Adulteration of canned cherries. U. S. v. 700 Cases, et al., of Cherries. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22888, 22889. I. S. No. 01901. S. No. 954.)

On July 16, 1928, 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 libels praying seizure and condemnation of 727 cases of canned cherries, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by F. B. Huxley & Son, from Ontario, N. Y., July 20, 1927, and transported from the State of New York into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Huxson Brand Pitted Red Sour Cherries * * * Packed by F. B. Huxley & Son, Ontario, N. Y."

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 February 5, 1929, F. B. Huxley & Son, Ontario, N. Y., claimants, having admitted the allegations of the libels and having consented to the entry of a decree, the libels were consolidated into one cause of action. 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 \$1,000, conditioned in part that it be reconditioned under the supervision of this department, so as to remove the unfit portion.

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

16192. Adulteration of frozen poultry. U. S. v. 26 Barrels of Frozen Poultry. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23086. I. S. No. 01949. S. No. 1177.)

On September 18, 1928, 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 26 barrels of frozen poultry, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Independence Produce Co., from Independence, Iowa, September 7, 1928, and transported from the State of Iowa into the State of Illinois, 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 and decomposed substance, in that it was the product of a diseased animal, and in that it consisted in part of a portion of an animal unfit for food.

On February 20, 1929, Jos. E. Goldberg, 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 costs and the execution of a good and sufficient bond, conditioned in part that it be examined under the supervision of this department and the portion unfit for food destroyed and the portion fit for food released.

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

16193. Adulteration of figs. U. S. v. 1188 Boxes of Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23203. I. S. No. 03570. S. No. 1300.)

On November 20, 1928, the United States attorney for the Southern District of New York, 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 1,188 boxes of figs, remaining unsold in the original unbroken packages at New York, N. Y., consigned by Jos. Crisafulli, Visalia, Calif. alleging that the article had been shipped from Visalia, Calif., on or about October 31, 1928, and transported from the State of California into the State of New York, 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 whole or in part of wormy, moldy, sour, and bird-pecked figs.

On January 30, 1929, 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.*

16194. Adulteration of figs. U. S. v. 1373 Boxes of Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23190. I. S. No. 03566. S. No. 1290.)

On November 15, 1928, the United States attorney for the Southern District of New York, 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 1,373 boxes of figs at New York, N. Y., consigned in interstate commerce by G. Crisafulli, Visalia, Calif., about October 24, 1928, alleging that the article was adulterated in violation of the food and drugs act.

It was alleged 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.

On January 31, 1929, default having been noted, 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.*

16195. Misbranding of canned pimientos. U. S. v. 25 Cases, et al., of Canned Pimientos. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. No. 23333. I. S. Nos. 0684, 0685, 0686, 03191, 03192, 03193. S. No. 1416.)

On January 14, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 92 cases of canned pimientos, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Curtis Corporation, Long Beach, Calif., alleging that the article had been shipped from Long Beach, Calif., on or about December 14, 1928, and transported from the State of California into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in