

tion of 77 crates of celery, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped by the Sanford Oviedo Truck Growers Association from Avon Park, Fla., on or about June 15, 1931, and had been transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Autograph Brand."

It was alleged in the libel that the article was adulterated in that it contained an added poisonous or deleterious ingredient, to wit, arsenic, which might have rendered it injurious to health.

On July 14, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18824. Adulteration of celery. U. S. v. 345 Crates of Celery. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26515. I. S. No. 30441. S. No. 4830.)**

Samples of celery from the shipment herein described having been found to bear arsenical spray residue, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On June 22, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 345 crates of celery, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Sanford Oviedo Truck Growers Association, from Avon Park, Fla., on or about June 10, 1931, and had been transported from the State of Florida 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 contained an added poisonous ingredient, arsenic, which might have rendered it injurious to health, an analysis of a sample having shown that it bore excessive amounts of arsenical spray residue, to wit, 23 parts per million on the leaves and 5.5 parts per million on the petioles, the arsenic being calculated as arsenic trioxide.

On July 9, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18825. Misbranding of canned grapefruit juice. U. S. v. 293 Cases of Canned Grapefruit Juice. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26348. I. S. No. 28499. S. No. 4681.)**

Samples of canned grapefruit juice from the shipment herein described having been found short of the declared volume, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On May 12, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 293 cases of canned grapefruit juice, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Dillpako Packing & Canning Co., from Clearwater, Fla., on or about December 22, 1930, and had been transported from the State of Florida into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can label) "Dillpako Pure Grapefruit Juice Slightly Sweetened Contents 11 Oz. \* \* \* Packed by Dillpako Packing & Canning Company, Inc., Clearwater, Fla."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Contents 11 Oz.," was false and misleading and deceived and misled the purchaser; and in that it 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 statement made was not correct.

On June 23, 1931, the Dillpako Packing & Canning Co., Clearwater, Fla., 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 costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be relabeled under the supervision of this department and

that it should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act or the laws of any State, Territory, district, or insular possession.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18826. Adulteration of cherries in brine. U. S. v. 149 Barrels, et al., of Cherries in Brine. Consent decrees ordering product released under bond. (F. & D. Nos. 26858, 26860. I. S. Nos. 22917, 22919. S. Nos. 4999, 5027.)**

Samples of cherries in brine from the shipments herein described having been found to be rotten or moldy, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of New York.

On August 21, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 422 barrels of cherries in brine, remaining in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by the W. G. Allen Fruit Co., Dundee, Oreg., in part on or about July 13, 1931, and in part on or about July 25, 1931, and had been transported from the State of Oregon into the State of New York, and charging adulteration in violation of the food and drugs act.

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

On September 23, 1931, the Causse Manufacturing & Importing Co., New York, N. Y., claimant, having admitted the allegations of the libels and having consented to the entry of decrees in accordance with the prayers thereof, judgments were entered ordering that the product be delivered to the said claimant upon payment of costs and the execution of bonds totaling \$8,000, conditioned in part that it be sorted by hand so as to separate the good cherries and the sound cracked cherries that had no mold, from those which were unfit and decomposed, and that the said unfit and decomposed portion be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18827. Adulteration of cherries in brine. U. S. v. 222 Barrels of Cherries in Brine. Consent decree ordering product released under bond. (F. & D. No. 26861. I. S. No. 22918. S. No. 5028.)**

Samples of cherries in brine from the shipment herein described having been found to be rotten and moldy, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of New York.

On August 28, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 222 barrels of cherries in brine, remaining in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by the Hunt Bros. Packing Co., Salem, Oreg., on or about July 22, 1931, and had been transported from the State of Oregon 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 a filthy, decomposed, or putrid vegetable substance.

On September 23, 1931, the Causse Manufacturing & Importing Co., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree in accordance with the prayer thereof, judgment was entered ordering that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$5,000, conditioned in part that it be sorted by hand so as to separate the good cherries and the sound cracked cherries that had no mold, from the unfit and decomposed portion, and that the said unfit and decomposed portion be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18828. Adulteration of cherries in brine. U. S. v. 300 Barrels of Cherries in Brine. Consent decree entered providing for release of product under bond. (F. & D. No. 26859. I. S. No. 22916. S. No. 5000.)**

Samples of cherries in brine from the shipment herein described having been found to be rotten and moldy, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.

On August 13, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 300 barrels of cherries in brine, remaining in the original unbroken