

Colo., a portion of which had been consigned by A. H. Baker, Anaheim, Calif., and the remainder of which had been consigned by the Dyson Shipping Co., San Francisco, Calif. It was alleged in the libel that the article had been shipped in interstate commerce; that the shipment from Anaheim had been made on or about December 3, 1932, that the shipment from San Francisco had been made on or about December 29, 1932, and that it was misbranded in violation of the Food and Drugs Act as amended. The article was labeled in part: "Hanson's Valencia Orange Juice Net Contents 1 Gallon [or "Net Contents 6½ Pints", "Net Contents 100 Oz.", or "Net Contents ½ Gallon"]."

It was alleged in the libel that the article was misbranded in that the statements on the labels, "1 Gallon", "6½ Pints", "100 oz.", or "½ Gallon", were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statements made were incorrect.

On June 5, 1933, the J. B. Morris Brokerage Co., 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 claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned that it be relabeled under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21159. Misbranding of onions. U. S. v. 510 Sacks of Onions. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 30433. Sample no. 35606-A.)**

This case involved a shipment of onions, sample sacks of which were found to contain less than 50 pounds, the declared weight.

On May 8, 1933, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 510 sacks of onions at Washington, D. C., alleging that the article had been shipped on or about May 1, 1933, by the C. E. Coleman Produce Co., from Corpus Christi, Tex., into the District of Columbia, and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Netpac Bag 50 Lbs. Net Texas Bermuda Onions."

It was alleged in the libel that the article was misbranded in that the statement on the label, "50 Lbs. Net", was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On May 10, 1933, the C. E. Coleman Produce Co., Inc., 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 claimant upon the payment of costs and the execution of a bond in the sum of \$500, conditioned that it should not be disposed of contrary to the Federal Food and Drugs Act and all other laws.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21160. Misbranding of potatoes. U. S. v. 1 Carload of Potatoes. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 30415. Sample no. 33695-A.)**

This case involved a shipment of potatoes, sample sacks of which were found to contain less than 50 pounds, the weight declared on the label.

On or about May 6, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of one carload of potatoes at Chicago, Ill., alleging that the article had been shipped in interstate commerce on April 26, 1933, by C. B. Mitchell, from Rio Hondo, Tex., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "50 Lbs. Net Weight When Packed Texas Labonita Blue Goose Brand New Triumph Potatoes. Packed and Shipped by American Fruit Growers, Inc."

It was alleged in the libel that the article was misbranded in that the statement on the label, "50 Lbs. Net Weight When Packed", was false and