

Oil Nasiacos Importing Co., Chicago, Ills. One Gallon" (or "One Half Gallon" or "One Quart").

Misbranding of the article was alleged in the libel for the reason that the statements on the respective sized cans, "One Gallon Net," "One Half Gallon Net," and "One Quart Net," were false and misleading and deceived and misled the purchaser.

On April 4, 1922, James Mallers, Harry Kokenes, and Themistocles Kokenes, trading as the Nasiacos Importing Co., and George Bombolis, Minneapolis, Minn., claimants, 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 Nasiacos Importing Co., or their agents, upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, said bond being conditioned in part that the cans containing the said product be refilled or re-labeled so as to comply with the provisions of the said act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10493. Adulteration of yeast. U. S. * * * v. 804 Cases of * * * Yeast and Yeast Foam. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15537. Inv. Nos. 36241, 36242. S. No. E-3631.)

On November 7, 1921, 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 for the seizure and condemnation of 804 cases of yeast and yeast foam, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by J. M. Gottesman, from Paris, France, on or about September 12, 1921, and received in the State of New York from a foreign country, to wit, France, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, worthless yeast, had been substituted wholly or in part for the said article.

On April 10, 1922, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10494. Adulteration of canned apples. U. S. * * * v. 25½ Boxes (306 Cans) of * * * Apples. Default decree ordering destruction of product. (F. & D. No. 15294. I. S. No. 8356-t. S. No. E-3522.)

On or about August 10, 1921, 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 for the seizure and condemnation of 25½ boxes (306 cans) of apples, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped by the Crandall Pettee Co., New York, N. Y., on or about May 14, 1921, and transported from the State of New York into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Yankee Choice Apples Quality Guaranteed * * * Packed By Saco Valley Canning Co., Portland, Me. * * *"

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

On October 12, 1921, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10495. Misbranding of olive oil. U. S. * * * v. 25 Cans of Olive Oil. Default decree of condemnation, forfeiture, and sale or destruction. (F. & D. No. 15095. I. S. No. 6700-t. S. No. E-3398.)

On June 27, 1921, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cans of olive oil, remaining unsold in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped by the Southern Importing Co., New York, N. Y., on or about May 14, 1921, and