

5126. Adulteration of oranges. U. S. v. 360 Cases of Oranges. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21925. I. S. No. 14910-x. S. No. E-6053.)

On March 22, 1927, the United States attorney for the Northern 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 360 cases of oranges, at Binghamton, N. Y., alleging that the article had been shipped by Volusia Growers, Inc., Lake Helen, Fla., on or about March 10, 1927, and transported from the State of Florida into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Manhattan Brand Blue Goose AFG Marketed by American Fruit Growers, Inc., Orlando, Fla., Packed by Volusia Growers, Inc. Deland, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

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

On March 24, 1927, the American Fruit Growers, Inc., Orlando, Fla., having appeared as claimant for the property 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 the costs of the proceedings and the execution of a bond in the sum of \$1,500, conditioned in part that it be sorted and repacked and relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

5127. Adulteration of canned peas. U. S. v. 35 Cases of Canned Peas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21071. I. S. No. 6316-x. S. No. E-5763.)

On May 13, 1926, the United States attorney for the District of New Jersey, 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 35 cases of canned peas, remaining unsold at Trenton, N. J., alleging that the article had been shipped by the Knoxboro Canning Co., Oriskany Falls, N. Y., on or about January 20, 1926, and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (can) "Mohawk Valley Brand June Peas * * * New Hartford Canning Co. New Hartford, * * * N. Y."

Adulteration of the article was alleged in the libel for the reason that a substance, saccharin, 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 the said article, for the further reason that it had been mixed in a manner whereby damage or inferiority was concealed, and for the further reason that it contained an added poisonous or other added deleterious ingredient, saccharin, which might have rendered it injurious to health.

On June 25, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

5128. Adulteration of tomato catsup. U. S. v. 300 Cases of Tomato Catsup. Consent decree ordering product released under bond for salvage of bottles. (F. & D. No. 21620. I. S. No. 2297-x. S. No. C-5316.)

On February 7, 1927, the United States attorney for the Northern District of Ohio, 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 300 cases of tomato catsup, at Youngstown, Ohio, alleging that the article had been shipped by the Alexandria Packing Corporation, Alexandria, Ind., on or about November 15, 1926, and transported from the State of Indiana into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (bottle) "Red Crown Brand Tomato Catsup * * * Packed By Alexandria Packing Corp. Alexandria, Ind."

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 March 21, 1927, the Alexandria Packing Corporation, Alexandria, Ind., claimant, having admitted the allegations of the libel and having consented to