

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

the entry of a decree in conformance with the prayer thereof, judgment was entered, ordering that the product be delivered to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be disposed of in violation of the law. It was further ordered by the court that the bottles be salvaged under the supervision of this department and the contents destroyed by the United States marshal.

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

15129. Adulteration of grapefruit. U. S. v. 372 Boxes of Grapefruit. Order entered permitting salvage of product. Decree entered ordering adulterated portion destroyed, and remainder released. (F. & D. No. 21833. I. S. No. 15876-x. S. No. C-5441.)

On or about April 1, 1927, the United States attorney for the Northern District of Oklahoma, 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 372 boxes of grapefruit, at Tulsa, Okla., alleging that the article had been shipped by the Fruit Distributors, Inc., Lake Garfield, Fla., on or about March 16, 1927, and transported from the State of Florida into the State of Oklahoma, and charging adulteration in violation of the food and drugs act.

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 decayed vegetable substances.

On April 8, 1927, an order was entered by the court, permitting the salvaging of the product under the supervision of this department. On April 12, 1927, it having been shown to the court that the product had been properly salvaged and that 181 cases of fruit had been found fit for distribution, a decree was entered, ordering that the unfit portion be destroyed and the good fruit released to the parties in interest, the Hughes Brokerage Co., Tulsa, Okla., or the Fruit Distributors, Inc., Jacksonville, Fla.

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

15130. Adulteration of oranges. U. S. v. 251 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21777. I. S. No. 13312-x. S. No. E-8030.)

On March 15, 1927, 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 251 boxes of oranges, remaining in the original unbroken packages at Baltimore, Md., consigned March 8, 1927, alleging that the article had been shipped by the Umatilla Fruit Co., from Paola, Fla., and transported from the State of Florida into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (wrapper) "Floridas Packed By The Umatilla Fruit Company Umatilla, 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 substance, which had been substituted wholly or in part for oranges.

On April 16, 1927, 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.*

15131. Adulteration of grapefruit. U. S. v. 310 Boxes of Grapefruit. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21822. I. S. No. 15860-x. S. No. C-5420.)

On March 22, 1927, the United States attorney for the Eastern District of Wisconsin, 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 310 boxes of grapefruit, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Fruit Distributors, Inc., Highland City, Fla., March 7, 1927, and transported from the State of Florida into the State of Wisconsin, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "A-Wow Brand * * * Fruit Distributors, Inc."