

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

On June 25, 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.*

18714. Misbranding and alleged adulteration of canned grapefruit juice. U. S. v. 249 Cases of Canned Grapefruit Juice. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26415. I. S. No. 22261. S. No. 4731.)

Samples of canned grapefruit juice from the shipment herein described having been found to contain added sugar, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.

On May 25, 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 249 cases of canned grapefruit juice, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Florida Gold Citrus Corporation, from Winter Haven, Fla., on or about April 2, 1931, and had been transported from the State of Florida into the State of Washington, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Happy Home Brand Grapefruit Juice Highest Quality Schwabacher Brothers & Co., Inc., Seattle, Wash., Distributors."

It was alleged in the libel that the article was adulterated in that sugar had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Grapefruit Juice," appearing on the label, was false and misleading and deceived and misled the purchaser when applied to grapefruit juice containing added sugar. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On June 20, 1931, Schwabacher Bros. & Co. (Inc.), Seattle, Wash., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product misbranded and ordering its condemnation and forfeiture, and it was further 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 \$100, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18715. Adulteration of herring. U. S. v. 200 Pounds of Herring. Default decree of destruction. (F. & D. No. 26800. I. S. No. 25774. S. No. 4958.)

Samples of herring from the shipment herein described having been found to be filthy and unfit for food, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Ohio.

On July 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 200 pounds of herring at Cincinnati, Ohio, alleging that the article had been shipped by the Booth Fisheries Co., Duluth, Minn., on or about July 16, 1931, and had been transported from the State of Minnesota into the State of Ohio, 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 triaenophori, and consisted in whole or in part of a filthy, decomposed, or putrid animal substance, and in that it consisted of a portion of an animal unfit for food.

On August 4, 1931, no claimant having appeared for the property, judgment was entered nunc pro tunc as of July 22, 1931, ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18716. Adulteration and misbranding of butter. U. S. v. 37 Tubbs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26437. I. S. No. 29347. S. No. 4639.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard provided by Congress,