

cle had been shipped by the Florida Grapefruit Canning Co., from Bradenton, Fla., on or about February 11, 1931, and had been transported from the State of Florida into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Floriana Brand Fancy Florida Grapefruit Juice Contents 1 Lb. 4 Oz. Packed by Florida Grapefruit Canning Company, Inc., Bradenton, Fla." It was alleged in the libel that the article was adulterated in that added sugar had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement on the label, "Grapefruit Juice," was false and misleading and deceived and misled the purchaser when applied to an article containing undeclared added sugar. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the declaration was not made in terms of fluid ounces.

On July 28, 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.*

18779. Adulteration of tullibeas. U. S. v. 68 Cases of Tullibeas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26740. I. S. No. 30791. S. No. 4889.)

Samples of tullibeas from the import shipment herein described having been found to contain worms, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On July 2, 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 68 cases of tullibeas, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about December 8, 1930, by the Armstrong Gimle Fisheries, from Winnipeg, Manitoba, Canada, into the State of Pennsylvania, and that it was adulterated in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted of a portion of an animal unfit for food, and in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On July 22, 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.*

18780. Adulteration of tullibeas. U. S. v. 177 Cases of Tullibeas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26715. I. S. No. 30778. S. No. 4865.)

Samples of tullibeas from the shipment herein described having been found to be infested with worms, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On June 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 177 cases of tullibeas, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been imported into the United States from Canada, having been shipped by the Royal Bank of Canada from Riverton, Manitoba, on or about January 15, 1931, and that it was adulterated in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance, and in that it was a portion of an animal unfit for food.

On July 15, 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.*

18781. Adulteration of herring. U. S. v. 8 Boxes of Herring. Default decree of destruction entered. (F. & D. No. 26785. I. S. Nos. 36272, 36273. S. No. 4908.)

Samples of herring from the shipment herein described having been found to be infested with worms, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Ohio.

On July 8, 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 eight boxes of herring at Cincinnati, Ohio, alleging that the article had been shipped by the Lake Superior Fish Co., Duluth, Minn., on or about July 2, 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 consisted in whole or in part of a filthy, decomposed, or putrid animal substance, and in that it was a portion of an animal unfit for food.

On July 9, 1931, no claimant having appeared for the property, judgment was entered finding the product unfit for human consumption and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18782. Adulteration of shelled pistachio nuts. U. S. v. 26 Cases of Shelled Pistachio Nuts. Consent decree of condemnation and forfeiture. Product released under bond. (E. & D. No. 25649. I. S. No. 15533, S. No. 3887.)

Samples of shelled pistachio nuts from the shipment herein described having been found to be insect injured, decomposed, and shrunken, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On January 12, 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 26 cases of shelled pistachio nuts, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been imported from Italy on or about November 25, 1929, and charging that it was adulterated in violation of the food and drugs act.

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 January 20, 1931, Steinhardter & Nordlinger, New York, N. Y., 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 said claimant upon payment of costs and the execution of a bond in the sum of \$2,500, conditioned in part that it be sorted to separate the good nuts from the bad, so that the article comply with the requirements of the Federal food and drugs act and all laws, Federal and State. It was further ordered by the court that the product should not be disposed of until inspected by a representative of this department, and that the rejected portion or the entire lot, if such inspection showed the reconditioning to be unsatisfactory, be destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18783. Adulteration of dried prunes. U. S. v. 1,200 Boxes, et al., of Prunes. Consent decrees of condemnation and forfeiture. Product released under bond. (E. & D. Nos. 26116, 26117. I. S. Nos. 11087, 11088, 11089, 11090. S. Nos. 4299, 4300.)

The dried prunes in the shipments herein described having been found to contain insect-infested, bin-spoiled, lye-injured, and brown-rot-infected fruit, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of New York.

On March 27, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 5,817 cases of dried prunes, remaining in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by J. C. Tracy & Co., from Portland, Oreg., in part on or about February 17, 1931, and in part on or about February 23, 1931, in interstate commerce into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Oregon Prunes Web Foot Brand Packed by J. C. Tracy & Co., Dallas, Oregon."

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

On or about May 20, May 29, June 5, and June 9, 1931, J. C. Tracy & Co., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$11,200, conditioned in part that it be wiped, washed, or otherwise treated, in such