

its quality and strength, and had been substituted in whole or in part for evaporated milk, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Evaporated Milk," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of evaporated milk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated milk, whereas, in truth and in fact, it did not so consist, but consisted in whole or in part of partially evaporated milk, and for the further reason that it was a mixture composed in whole or in part of partially evaporated milk prepared in imitation of evaporated milk, and was offered for sale and sold under the distinctive name of another article, to wit, evaporated milk.

On December 17, 1919, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

7607. Adulteration of oysters. U. S. * * * v. F. F. East & Co., a corporation. Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 11350. I. S. Nos. 13388-r, 13687-r.)

On January 26, 1920, 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 an information against F. F. East & Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 1, 1919, and January 20, 1919, from the State of Maryland into the State of Pennsylvania, of a quantity of oysters which were adulterated.

Analyses of samples of the article made in the Bureau of Chemistry of this department showed the following results:

	Shipment of Feb. 1.	Shipment of Jan. 20.
Solids in meat (per cent)-----	14.6	15.1
Solids in sample as received (per cent)-----	12.5	12.5
Loss on boiling (per cent)-----	50.0	53.5

Results show oysters had been soaked with water.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, 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 oysters, which the article purported to be.

On January 26, 1920, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7608. Misbranding of cottonseed meal. U. S. * * * v. Planters Cotton Oil Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11353. I. S. Nos. 19423-p, 19424-p.)

On December 15, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Planters Cotton Oil Co., a corporation, Pine Bluff, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 31, 1918, from the State of Arkansas into the State of Kansas, of a quantity of an article, invoiced as cottonseed meal, which was misbranded.

Examination of the sacks comprising the aforesaid shipment by a representative of the Bureau of Chemistry of this department showed that none of the sacks bore a statement of the net weight of the contents.

Misbranding of the article was alleged in the information for the 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 package.

On January 7, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7609. Adulteration of oysters. U. S. * * * v. Storey-Bunnell Packing Co., a corporation. Plea of nolo contendere. Fine, \$5 and costs. (F. & D. No. 11351. I. S. No. 13694-r.)

On January 27, 1920, 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 an information against the Storey-Bunnell Packing Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 21, 1919, from the State of Maryland into the State of Pennsylvania, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Solids in meat-----	13.47
Solids in sample as received-----	11.53
Loss on boiling-----	57.6

Results show the oysters had been soaked with water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On January 27, 1920, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$5 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7610. Misbranding of kidney pills. U. S. * * * v. 250 Packages of Kidney Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 460-c.)

On March 26, 1919, the United States attorney for the District of Massachusetts filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 1 case, containing 250 packages of kidney pills, remaining unsold in the original unbroken packages at Worcester, Mass., alleging that the article had been shipped by Edwin S. McFields, otherwise known as Roger North, Hartford, Conn., and transported from the State of Connecticut into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act.

Misbranding of the pills was alleged in the libel of information for the reason that they were labeled as certain kidney pills, which said label was false and misleading in that they were not pills of the make they purported to be, but an imitation thereof.

On June 11, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*