

ment by said company, in violation of the Food and Drugs Act, on or about January 28, 1918, February 1, 1918, and January 22, 1918, from the State of North Carolina into the State of Massachusetts, of quantities of scallops which were adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the scallops in each shipment had been soaked.

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

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$10 and costs.

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

**8337. Adulteration of scallops. U. S. \* \* \* v. John M. Lewis. Plea of guilty. Fine, \$10 and costs.** (F. & D. No. 9250. I. S. Nos. 2670-p, 2674-p.)

On November 26, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John M. Lewis, Beaufort, N. C., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 22, 1918, and February 7, 1918, from the State of North Carolina into the State of Massachusetts, of quantities of scallops which were adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the scallops in each shipment had been soaked.

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

On February 7, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

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

**8338. Adulteration of scallops. U. S. \* \* \* v. Lewis Kerby Piner and Martin Luther Piner (Piner Bros.). Plea of guilty. Fine, \$10 and costs.** (F. & D. No. 10862. I. S. Nos. 12676-r, 12571-r, 13750-r.)

On September 11, 1919, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lewis Kerby Piner and Martin Luther Piner, trading as Piner Bros., Morehead City, N. C., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about January 24, 1919, from the State of North Carolina into the State of Massachusetts (2 shipments), and into the State of New York (1 shipment), of quantities of scallops which were adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the scallops in each shipment had been soaked.

Adulteration of the article in each shipment was alleged in the information for the reason that a 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 scallops, which the article purported to be. Adulteration was alleged for the further reason that certain

valuable constituents of the article had been wholly or in part abstracted therefrom.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10 and costs.

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

**S339. Adulteration and misbranding of Shur-pleez Feed. U. S. \* \* \* v. Ritter-Hennings Co., a Corporation. Plea of guilty. Fine, \$50.**  
(F. & D. No. 11600. I. S. No. 10709-r.)

On February 17, 1920, the United States attorney for the Western District of Kentucky, 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 Ritter-Hennings Co., a corporation, Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 30, 1918, from the State of Kentucky into the State of Indiana, of a quantity of Shur-pleez feed which was adulterated and misbranded. The article was labeled in part, "Super Quality Shur-pleez Trade Mark Feed, Louisville, Ky. Egg & Growing Mash Guaranteed Analysis Protein 23.85% Fat 6.07% Fiber 7.87% Made from gluten meal, coarse bran, feed meal, middlings, beef scraps, ground bone meal, alfalfa meal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 10.39 per cent of crude fiber, 20 per cent of protein, and 3.30 per cent of ether extract, or fat. Examination showed that it contained corn and wheat bran tissues, starch, alfalfa, muscle fiber, bone, corn gluten meal, and about 15 per cent of oat hulls and weed seeds.

Adulteration of the article was alleged in the information for the reason that screenings and weed seeds had been substituted in part for Super Quality feed, compounded as on the label set forth.

Misbranding was alleged for the reason that the statements on the label represented that the article contained not less than 6.07 per cent of fat, not less than 23.85 per cent of protein, and not more than 7.87 per cent of fiber, and was made from gluten meal, coarse bran, feed meal, middlings, beef scraps, ground bone meal, and alfalfa meal, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained a minimum proportion of fat and protein as aforesaid, and the maximum proportion of fiber as aforesaid, and was compounded as aforesaid, whereas it contained less than 6.07 per cent of fat, less than 23.85 per cent of protein, and more than 7.87 per cent of fiber, and was not so compounded, but contained screenings and weed seeds.

On March 9, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$50.

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

**S340. Adulteration and misbranding of flour. U. S. \* \* \* v. 287 Sacks of Flour. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 754. I. S. No. 5705-b. S. No. 279.)

On August 7, 1909, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, on November 19, 1919, an amended libel, and on December 27, 1919, a stipulation for further amendment of the libel, praying seizure and condemnation of 287 sacks of flour, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about August 10 [August 4], 1909, by the Waterloo and Cedar Falls Union Mill Co., Cedar Falls, Iowa, and was in the