

M on 9-21-1921 for Barnett Supply Co., Booneville, Miss., and all unfit for food have been excluded."

Examination, by the Bureau of Chemistry of this department, of 360 eggs from the consignment showed the presence of 46 inedible eggs, or 12.8 per cent of those examined, which consisted of mixed or white rots and blood rings.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 2, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11074. Adulteration and misbranding of vinegar. U. S. v. 40 Barrels of Alleged Apple Cider Vinegar Blend. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16131. I. S. No. 8178-t. S. No. E-3854.)

On April 24, 1922, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 barrels [10 barrels and 30 half-barrels] of alleged apple cider vinegar blend, consigned by the Fruit Products Co., Savannah, Ga., remaining unsold in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped from Savannah, Ga., on or about March 16, 1922, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Barrel) "Fruit Products Co. Apple Cider Vinegar Blend Savannah Ga."

Adulteration of the article was alleged in substance in the libel for the reason that distilled vinegar had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the reason that the article was colored in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the aforesaid statement, to wit, "Fruit Products Co. * * * Apple Cider Vinegar Blend," was false and misleading and deceived and misled purchasers thereof. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On May 8, 1922, the Fruit Products Co., Savannah, Ga., claimant, having admitted the allegations of the libel, but claiming that any violation of the laws was unintentional and through ignorance, judgment of condemnation 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 \$400, in conformity with section 10 of the act, conditioned in part that if the said product should be sold or disposed of in any form or branding, such branding should accurately and correctly describe the product.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11075. Adulteration of oysters. U. S. v. The Atlantic Packing Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 16403. I. S. No. 15009-t.)

On September 25, 1922, 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 Atlantic Packing Co., a corporation, Baltimore, Md., alleging shipment by said company in violation of the Food and Drugs Act, on or about February 23, 1922, from the State of Maryland into the State of New York, of a quantity of oysters which were adulterated. The article was labeled in part: (Tag) " * * * From The Atlantic Packing Co. Majestic Brand Oysters Baltimore Maryland."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article 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 strength and had been substituted in part for oysters, which the said article purported to be. Adultera-