

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-

tion was alleged for the further reason that a valuable constituent of the article, to wit, oyster solids, had been in part abstracted.

On September 25, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

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

**11076. Adulteration of raspberries. U. S. v. 1,725 Crates of Raspberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16658. I. S. No. 2026-v. S. No. E-4075.)**

On July 24, 1922, the United States attorney for the Western District of New York, 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 1,725 crates of raspberries, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by Harvey Stewart, on or about July 1, 1922, in part from Philadelphia, Pa., and in part from Hammonton, N. J., and transported from the States of Pennsylvania and New Jersey, respectively, into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

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

On September 8, 1922, 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.

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

**11077. Misbranding of flour. U. S. v. 400 Sacks of Flour. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16755. I. S. No. 7826-v. S. No. W-1199.)**

On August 28, 1922, the United States attorney for the Eastern District of Washington, 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 400 sacks of flour, remaining in the original unbroken packages at Spokane, Wash., consigned by the Royal Milling Co., Great Falls, Mont., alleging that the article had been shipped from Great Falls, Mont., on or about June 29, 1922, and transported from the State of Montana into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Sacks) "Rex Flour \* \* \* Bleached \* \* \* Royal Milling Company Great Falls, Montana 98 Lbs."

Misbranding of the article was alleged in substance in the libel for the reason that the sacks containing the said article bore labels indicating that they contained 98 pounds of flour, net weight, and for the further reason that the sacks were labeled so as to deceive and mislead the purchaser into the belief that they contained the full number of pounds set forth on the said labels, whereas, in truth and in fact, each of said sacks contained a less amount. Misbranding was alleged for the further reason that the article 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 weight declared on the label was not correct.

On August 29, 1922, the Kalispell Flour Mill Co., having entered an appearance as claimant for the property, 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 the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

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

**11078. Adulteration and misbranding of butter. U. S. v. 18 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16769. I. S. No. 1216-v. S. No. E-4140.)**

On August 25, 1922, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 18 cases of butter, remaining unsold at Washington, D. C., alleging that the article had been shipped by the Cudahy Packing Co., from Kansas City, Mo., on or about July 7, 1922, and transported from the State of Missouri into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Sun-