

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

On February 3, 1922, J. A. Courtney, Mobile, Ala., having entered an appearance as claimant for the property through his agent, J. A. Kirkpatrick & Son, New Orleans, La., 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 the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,800, in conformity with section 10 of the act, conditioned in part that it be correctly assorted and candled.

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

11085. Adulteration and misbranding of salad dressing. U. S. v. 49 Cases of Decomposed Salad Dressing. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16092. I. S. No. 11198-t. S. No. W-1067.)

On April 10, 1922, the United States attorney for the District of Oregon, 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 49 cases of decomposed salad dressing, remaining in the original unbroken cases at Portland, Oreg., alleging that the article had been shipped by Ben T. Hosking & Bro., Chicago, Ill., March 31, 1922, and transported from the State of Illinois into the State of Oregon, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Net Weight, 10 Ounces * * * Regal Brand Thousand Island Dressing * * * Ben T. Hosking & Brother Chicago."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a decomposed vegetable substance.

Misbranding was alleged in substance for the reason that the statement, "Net Weight, 10 Ounces," was false and misleading and deceived and misled purchasers, and 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 said packages.

On October 19, 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.*

11086. Adulteration and misbranding of potatoes. U. S. v. 200 Sacks of Potatoes. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16515. I. S. No. 1222-v. S. No. E-4174.)

On September 6, 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 200 sacks of potatoes, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by Chamberlin & Barclay, Hightstown, N. J., on or about August 29, 1922, and transported from the State of New Jersey into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "U. S. Grade No. 1, C & B 150 Lbs. Net When Packed Chamberlin & Barclay, Hightstown, N. J.—Cranbury, N. J."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, potatoes of a lower grade than that designated in the label, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted in part for Grade No. 1 potatoes, which the said article purported to be.

Misbranding was alleged for the reason that the sacks containing the article bore a statement regarding the said article and the ingredients and substances contained therein, to wit, "U. S. Grade No. 1," which was false and misleading and deceived and misled the purchaser, in that the said statement represented that the article conformed to the requirements of the United States Government for Grade No. 1 potatoes, whereas, in truth and in fact, it contained an excessive amount of potatoes showing blemishes such as deep-pitted scab, cuts, and sunburn.

On September 18, 1922, F. D. Parrish, Washington, D. C., claimant, having admitted the allegations of the libel and 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 the costs of the proceedings and the deposit of \$500 in cash or the execution of a bond in the sum of \$500, conditioned that the product should not be sold or otherwise disposed of contrary to the provisions of the said act.

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

11087. Adulteration and misbranding of flour. U. S. v. 325 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16631. I. S. No. 14057-t. S. No. W-1155.)

On July 15, 1922, the United States attorney for the District of Oregon, 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 325 sacks of flour, remaining in the original unopened sacks at Portland, Oreg., alleging that the article had been shipped by the Montana Flour Mills Co., Great Falls, Mont., March 30, 1922, and transported from the State of Montana into the State of Oregon, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Montana Flour Mills Co. Sapphire * * * Matured Bleached 49 Lbs. Net Sapphire Flour."

Adulteration of the article was alleged in the libel for the reason that excessive water had been so mixed and packed with and substituted wholly or in part for normal flour of good commercial quality as to reduce and lower and injuriously affect the quality of the said flour.

Misbranding was alleged for the reason that the statement, "49 Lbs.," borne on the sacks containing the article, was false and misleading and deceived and misled the purchaser. 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 package.

On September 2, 1922, the Montana Flour Mills Co., Great Falls, Mont., claimant, 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 the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

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

11088. Adulteration of eggs. U. S. v. 406 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16679. I. S. No. 3754-v. S. No. C-3705.)

On July 13, 1922, 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 for the seizure and condemnation of 406 cases of eggs, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by J. H. Cheatham, Bucklin, Kans., June 28, 1922, and transported from the State of Kansas into the State of Illinois, 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 part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On July 14, 1922, the Ralph Hurst Co., Chicago, Ill., claimant, having admitted the material allegations of the libel and 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 the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be recandled under the supervision of this department, the bad portion destroyed and the good portion delivered to the claimant.

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

11089. Misbranding of apples. U. S. v. 175 Barrels of Apples. Decree ordering release of product under bond. (F. & D. No. 16815. I. S. No. 2008-v. S. No. E-4188.)

On September 14, 1922, the United States attorney for the Western District of Pennsylvania, 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