State of South Dakota into the State of Minnesota, 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 decomposed animal substance.

On January 9, 1923, no claimant having appeared for the property, and the United States attorney having made affidavit that the product was wholly decayed and unfit for consumption as food, it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

11308. Adulteration and misbranding of canned oysters. U. S. v. 85 Cases and 201 Cases of Oysters. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17034. I. S. No. 8109–v. S. No. W–1256.)

On December 13, 1922, the United States attorney for the Northern District of California, 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 85 cases and 201 cases of oysters, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Dunbars, Lopez & Dukate Co., New Orleans, La., about August 15, 1922, and transported from the State of Louisiana into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: "Pointer Brand Cove Oysters Packed by Dunbars, Lopez & Dukate Co., New Orleans, La.= Biloxi, Miss. Serial No. A 1446 Guaranteed by the Packers under the Food and Drugs Act, June 30, 1906 Net Contents 10 Oz. Oyster Meat." The remainder of the said article was labeled in part: (Case) "10 Oz. 2 Doz."

Adulteration of the article was alleged in the libel for the reason that water or brine had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the statement, "Net Contents 10 Oz. Oyster Meat," 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 January 9, 1923, J. H. Newbauer & Co., San Francisco, Calif., having entered an appearance as claimant for the property and 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 said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $1,500, in conformity with section 10 of the act, conditioned in part that it be made to conform with the provisions of said act, under the supervision and to the satisfaction of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

11309. Adulteration of eggs. U. S. v. 5 Cases of Eggs. Default entered. Product ordered destroyed. (F. & D. No. 17041. I. S. No. 5488–v. S. No. C–3843.)

On November 21, 1922, the United States attorney for the District of Minnesota, 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 5 cases of eggs, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by I. Turnoy, Chaseley, N. Dak., on or about November 7, 1922, and transported from the State of North Dakota into the State of Minnesota, 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 decomposed animal substance.

On December 27, 1922, no claimant having appeared for the property, and the United States attorney having made affidavit that the product was wholly decayed and unfit for consumption as food, it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

11310. Misbranding of hog feed. U. S. v. Alfocorn Milling Co., a Corporation. Plea of guilty. Fine, $50 and costs. (F. & D. No. 13087. I. S. No. 24634–r.)

On October 25, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the Dis-