

tion of 274 cases and 124 cases of minced clams, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by Wiegardt Bros., from Nahcotta, Wash., May 8, 1922, and transported from the State of Washington into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Mast-er Brand Minced Razor Clams Packed By Wiegardt Bros. Ocean Park, Wash."

Adulteration of the article was alleged in the libel for the reason that excessive water or clam juice had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted wholly or in part for minced clams.

During the month of August, 1922, Wiegardt Bros., 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 \$4,000, in conformity with section 10 of the act.

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

11338. Adulteration and misbranding of canned oysters. U. S. v. 97 Cases, et al., of Oysters. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 17013, 17014. I. S. Nos. 7783-v, 7785-v, 7791-v. S. Nos. W-1246, W-1249.)

On December 7, 1922, the United States attorney for the Western 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 praying the seizure and condemnation of 263 cases of oysters, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Sea Food Co., from New Orleans, La., in part on or about March 1 and in part on or about May 7, 1922, and transported from the State of Louisiana into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled variously, in part: "Lopez's Cove Oysters * * * Biloxi Chief Brand Net Contents 5 Ounces Oyster Meat Select Oysters Packed By Barataria Canning Co., New Orleans, La. & Biloxi, Miss.;" "Silver Shield Brand Oysters * * * Contents 10 Ounces Exclusive Of Liquid;" "Darling Brand Cove Oysters Packed By Sea Food Co. Biloxi, Miss. U. S. A. Contents 8 Ounces Oysters."

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 article.

Misbranding was alleged with respect to a portion of the article for the reason that the statements on the respective cans, "Contents 10 Ounces Exclusive Of Liquid" and "Contents 8 Ounces Oysters," were false and misleading and deceived and misled the purchaser.

On January 24, 1923, the Sea Food Co. and the Star Packing Co. having appeared as claimants for respective portions of the property, and having admitted the material allegations in 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 respective claimants on payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

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

11339. Misbranding and alleged adulteration of canned clams. U. S. v. 744 Cases of Canned Clams. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17092. I. S. Nos. 8303-v, 8305-v. S. No. W-1265.)

On December 28, 1922, the United States attorney for the Western 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 praying the seizure and condemnation of 744 cases of canned clams, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Mountain Point Packing Co., from Petersburg, Alaska, December 2, 1922, and transported from the Territory of Alaska into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Golden Shore Brand Whole Clams Net Contents Not Less Than 15 Ounces Clams and Clam Nectar Packed In Alaska By Mountain Point Packing Co. Petersburg, Alaska."