

11445. Adulteration and misbranding of potatoes. U. S. v. 225 Sacks of Potatoes. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16819. I. S. No. 8851-v. S. No. C-3804.)

On September 15, 1922, the United States attorney for the Northern District of Ohio, 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 225 sacks of potatoes, remaining in the original unbroken packages at Akron, Ohio, alleging that the article had been shipped by the Jones-Howe Co., Hightstown, N. J., on or about September 5, 1922, and transported from the State of New Jersey into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled in part: "150 Pounds Net U. S. Grade No. 1 Hutchinson and Rue, Windsor, New Jersey." The remainder of the said article was labeled in part: "U. S. Grade No. 1 C. & B. 150 Pounds Net When Packed Chamberlain and Barclay, Cranbury and Hightstown, New Jersey."

Adulteration of the article was alleged in the libel for the reason that potatoes of lower grade than designated 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, "U. S. Grade No. 1," borne on the sacks containing the article, was false and misleading and deceived and misled the purchaser.

On September 20, 1922, the Jones-Howe Co., Hightstown, N. J., claimant, having admitted the allegations of the libel, 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 \$500, in conformity with section 10 of the act.

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

11446. Adulteration of shell eggs. U. S. v. 37 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16875. I. S. No. 3938-v. S. No. C-3803.)

On September 12, 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 praying the seizure and condemnation of 37 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Norris Poultry & Egg Co., from Burlington Junction, Mo., August 23, 1922, and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance 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 September 15, 1922, the Norris Poultry & Egg Co., St. Joseph, Mo., 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 execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be candled 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.*

11447. Adulteration of canned salmon. U. S. v. 40 Cases, et al., of Pink Salmon. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 17267, 17268, 17269. I. S. No. 5837-v. S. No. C-3877.)

On February 9, 1923, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 350 cases of pink salmon, remaining in the original unbroken packages in part at Port Arthur, Tex., and in part at Beaumont, Tex., alleging that the article had been shipped by the Kelley-Clarke Co., Seattle, Wash., December 8, 1922, and transported from the State of Washington into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Snowshoe Brand Select