

ment 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, conditioned that it be used for hog feed.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11665. Adulteration of shell eggs. U. S. v. 62 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond to be candled. (F. & D. No. 16831. I. S. No. 3864-v. S. No. C-3791.)

On August 26, 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 62 cases of shell eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Anderson Produce Co., from Milan, Mo., August 19, 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 1, 1922, M. P. Rutledge, Chicago, Ill., 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 released to the said claimant.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11666. Adulteration of evaporated milk. U. S. v. 600 Cases of Evaporated Milk. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17114. I. S. No. 4110-v. S. No. C-3866.)

On January 6, 1923, 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 600 cases of evaporated milk, consigned by Burt-Zaiser Co., Burlington, Iowa, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped from Burlington, Iowa, December 2, 1922, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Autumn Leaf Brand Evaporated Milk Average Net Weight One Pound or Over Packed for Burt-Zaiser Company, Burlington, Iowa."

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

On July 12, 1923, the Food Products Supply Service, 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 the good portion be separated from the bad under the supervision of this department, the bad portion destroyed and the good portion released for manufacturing purposes which would require cooking.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11667. Adulteration of canned sweet corn. U. S. v. 60 Cases of Sweet Corn. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15745. I. S. No. 13472-t. S. No. C-3378.)

On December 21, 1921, the United States attorney for the District of Kansas, 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 60 cases of sweet corn at Wichita, Kans., alleging that the article had been shipped by the Elgin Canning Co., from Elgin, Iowa, on or about October 12, 1921, and transported from the State of Iowa into the State of Kansas, and charging adulteration in violation of the Food and Drugs Act. The article was

labeled in part: (Can) "Sweet Corn. Contents 1 Lb. 4 Ozs. Opal Brand * * * Packed By The Elgin Canning Co. Elgin, Iowa."

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

On August 17, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture*

11668. Adulteration and misbranding of chocolate coating. U. S. v. Handy Chocolate Co., a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 17413. I. S. Nos. 205-v, 1309-v, 4506-v.)

On May 29, 1923, the United States attorney for the District of Massachusetts, 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 Handy Chocolate Co., a corporation, Springfield, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, in various consignments, namely, on or about June 8, July 14, and August 15, 1922, respectively, from the State of Massachusetts into the States of Connecticut, Ohio, and Maryland, respectively, of quantities of chocolate coating which was adulterated and misbranded. The article was contained in shipping cases, a portion of which were labeled in part: "100 Lbs. Net Handy's Pride Chocolate Coating Springfield, Mass. U. S. A." or "Handy's Chocolate Company Springfield, Mass. U. S. A. * * * Handy's * * * Chocolate Coating." A portion of the article bore the statement imprinted on the cakes, "Miner's Incomparable Coating."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was a sweet chocolate containing an excess of cocoa shells.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cacao shells, 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 chocolate coating, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Chocolate Coating," borne on the cases containing a portion of the article, and the statement, to wit, "Coating," borne on the remainder of the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statement represented that the article was chocolate coating, a product composed wholly of chocolate, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a product composed wholly of chocolate, whereas, in truth and in fact, it was not a product composed wholly of chocolate but was a product composed in part of cacao shells. Misbranding was alleged with respect to the portion of the article labeled "Chocolate Coating" for the further reason that it was a product composed in part of cacao shells, prepared in imitation of chocolate coating, and was offered for sale and sold under the distinctive name of another article.

On June 8, 1923, a plea of nolo contendere to the information was entered by the defendant company, and the court imposed a fine of \$25.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11669. Misbranding of Hooper's pills. U. S. v. 1 Dozen Boxes of Hooper's Pills (Green Seal). Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17471. I. S. No. 411-v. S. No. E-4366.)

On April 25, 1923, the United States attorney for the District of Connecticut, 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 1 dozen boxes of Hooper's pills, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by the American Synthetic Co., Philadelphia, Pa., on or about January 26, 1923, and transported from the State of Pennsylvania into the State of Connecticut, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained iron sulphate, aloes, and ginger.

Misbranding of the article was alleged in the libel for the reason that labels on the packages containing the said article bore the following statements, (wrapper) "perfection in opening obstruction of the vessels * * * cure