

claimant for the property 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 \$4,000, in conformity with section 10 of the act, conditioned in part that it be sorted under the supervision of this department, the bad portion disposed of to the Oregon State Fish Commission for fish food and the good portion released to the claimant.

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

11964. Adulteration of chloroform. U. S. v. 8 Cans of Chloroform. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16539. S. No. E-4013.)

On June 30, 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 praying the seizure and condemnation of 8 cans of chloroform, remaining in the original unbroken packages at Blairsville, Pa., alleging that the article had been shipped from New York, N. Y., on or about May 11, 1922, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Chloroform * * * For Anesthesia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was turbid, upon evaporation it left a foreign odor, and it contained hydrochloric acid, impurities decomposable by sulphuric acid, and chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of the investigation.

On April 24, 1923, 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.*

11965. Adulteration of shell eggs. U. S. v. Roy E. Stires. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 17527. I. S. Nos. 7550-v, 7649-v.)

On September 4, 1923, 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 an information against Roy E. Stires, Atwood, Kans., alleging shipment by said defendant, in violation of the Food and Drugs Act, in two consignments, namely, on or about October 10 and December 21, 1922, respectively, from the State of Kansas into the State of Colorado, of quantities of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 1,440 eggs from the consignment of October 10 showed that 107, or 7.43 per cent of those examined, were inedible eggs, consisting of black rots, white or mixed rots, moldy eggs, and spot rots. Examination by said bureau of 1,260 eggs from the remaining consignment showed that 297, or 23.57 per cent of those examined, were inedible eggs, consisting of black rots, mixed or white rots, moldy eggs, heavy spot rots, and light spot rots.

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

On October 8, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

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

11966. Misbranding of peaches. U. S. v. Albert J. Evans. Plea of guilty. Fine, \$25. (F. & D. No. 14742. I. S. No. 610-t.)

On September 6, 1921, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Albert J. Evans, Hillsboro, Ga., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about July 22, 1920, from the State of Georgia into the State of Illinois, of a quantity of peaches in baskets which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 1, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

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

11967. Misbranding of peaches. U. S. v. Albert J. Evans and Samuel B. Hungerford (Hungerford & Evans). Pleas of guilty. Fine, \$25. (F. & D. No. 15578. I. S. Nos. 120-t, 122-t, 123-t.)

On February 9, 1922, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Albert J. Evans and Samuel B. Hungerford, copartners, trading as Hungerford & Evans, Gray, Ga., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about May 21 and 26, 1921, respectively, from the State of Georgia into the State of Illinois, of quantities of peaches in crates which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 1, 1923, the defendants entered pleas of guilty to the information, and the court imposed fines in the aggregate sum of \$25.

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

11968. Misbranding of peaches. U. S. v. Standard Growers Exchange, a Corporation. Pleas of guilty. Fine, \$50. (F. & D. Nos. 13181, 16224. I. S. Nos. 7591-r, 653-t, 667-t.)

On June 27, 1922, the United States attorney for the Southern District of Georgia, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district informations against the Standard Growers Exchange, a corporation, trading at Macon, Ga., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about July 11, 1919, and May 18 and June 28, 1921, respectively, from the State of Georgia into the State of Illinois, of quantities of peaches in baskets which were misbranded.

Misbranding of the article was alleged in the informations for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 10, 1923, pleas of guilty to the informations were entered on behalf of the defendant company, and the court imposed fines in the aggregate sum of \$50.

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

11969. Adulteration and misbranding of olive oil. U. S. v. Samuel Hochheisser and Louis Weisberg (Bay Bee Oil Co.). Pleas of guilty. Fine, \$100. (F. & D. No. 17526. I. S. Nos. 15555-t, 15610-t, 15611-t, 15612-t, 15613-t, 15614-t, 15615-t, 15619-t, 15620-t.)

At the October, 1923, term of the United States District Court within and for the Southern District of New York, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the district court aforesaid an information against Samuel Hochheisser and Louis Weisberg, copartners, trading as the Bay Bee Oil Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about October 5, 1921, January 7, January 16, February 6, and March 18, 1922, respectively, from the State of New York into the State of New Jersey, and on or about January 26, 1922, from the State of New York into the State of Connecticut, of quantities of olive oil which was misbranded and quantities of alleged olive oil which was adulterated and misbranded. The olive oil was labeled in part: "Extra Sublime Pure Imported Olive Oil Blue Star Brand * * * One Gallon" (or "Half Gallon" or "Quarter Gallon") "* * * Bay Bee Oil Company Importers & Packers Lucca, Italy. New York U. S. A." Some of the alleged gallon cans were further labeled, "7½ Lbs. Net Or 0.98 Of One Gallon," and some of the alleged half-gallon cans were further labeled, "3¾ Lbs. Net Or 0.98 Of Half Gallon." The Cob brand oil was labeled in part: "Olio Sopraffino Per Insalata 'Cob'