

article had been shipped by the Rogers By-Products Co., Aurora, Ill., on or about January 8, 1924, and transported from the State of Illinois into the State of Iowa, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Hyklass * * * Digester Tankage Guaranteed Analysis Protein 60% Fat 7% Crude Fibre 8% Made By Rogers By-Products Co. Aurora, Ill."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, hoof meal, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Digester Tankage" and the statements, "Analysis Protein 60%," "Fat 7%," were false and misleading, and deceived and misled the purchaser, since the product was a mixture of tankage and hoof meal. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On May 1, 1924, 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.*

12339. Misbranding of tomatoes. U. S. v. Farmers Co-Operative Society, a Corporation. Plea of guilty. Fine, \$1. (F. & D. No. 18308. I. S. No. 394-v.)

On February 27, 1924, 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 an information against the Farmers' Co-Operative Society, a corporation, Bullard, Texas, alleging shipment by said company, in violation of the food and drugs act as amended, on or about June 15, 1923, from the State of Texas into the State of New York, of a quantity of tomatoes which were misbranded. The article was labeled in part: "Blue Bonnet Brand East Texas Tomatoes Shed Packed * * * Grown and Packed By Farmers Co-Operative Society Bullard, Texas."

Misbranding of the article was alleged in the information for the 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 April 28, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$1.

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

12340. Adulteration of raspberry jam. U. S. v. 99 Cases of Raspberry Jam. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17726. I. S. No. 8429-v. S. No. W-1406.)

On August 16, 1923, 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 praying the seizure and condemnation of 99 cases of raspberry jam remaining in the original unbroken packages at San Francisco, Calif., consigned by the Oregon Packing Co., Vancouver, Wash., alleging that the article had been shipped from Vancouver, Wash., August 1, 1923, and transported from the State of Washington into the State of California, 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 wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On May 2, 1924, 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.*

12341. Adulteration of canned corn. U. S. v. 13 Cases of Canned Corn. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18699. I. S. No. 15192-v. S. No. E-4837.)

On May 19, 1924, the United States attorney for the District of Maryland, 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 13 cases of canned corn, consigned on or about February 14, 1924, re-

maining in the original unbroken packages at Hagerstown, Md., alleging that the article had been shipped by G. H. Baker from Middletown, Del., and transported from the State of Delaware into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Middletown Brand * * * Hearts Of Corn And Sugar Corn * * * Packed By G. H. Baker, Middletown, Delaware."

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

On June 19, 1924, 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.*

12342. Adulteration and misbranding of canned oysters. U. S. v. 25 Cases, et al., of Canned Oysters. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 18606, 18607. I. S. Nos. 12094-v, 12095-v, 12096-v, 12097-v. S. No. W-1504.)

On or about April 23, 1924, the United States attorney for the District of Oregon, 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, 4-ounce size, and 60 cases, 8-ounce size, canned oysters, remaining in the original unbroken packages at Portland, Ore., alleging that the article had been shipped by the Marine Products (Inc.), New Orleans, La., on or about February 16, 1924, and transported from the State of Louisiana into the State of Oregon, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Golden Grain Belt Brand * * * Oysters Net Contents 8 Ounces" (or "Net Contents 4 Ounces") "Packed By Sea Food Co., Biloxi, Miss."

Adulteration of the article was alleged in the libel for the reason that excessive water or brine had been so mixed and packed with and substituted wholly or in part for normal oysters of good commercial quality as to reduce and lower and injuriously affect the quality and strength of the said oysters.

Misbranding was alleged for the reason that the article was labeled so as to deceive and mislead the purchaser, and for the further reason that the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 7, 1924, the Johnson Lieber Co., Portland, Oreg., 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 \$600, in conformity with section 10 of the act, conditioned in part that the respective cans be relabeled by pasting over the statements of weight, stickers containing the following: "Slack Filled—contains excessive brine. Contents, 7¼ ounces Oyster Meat. This size can should contain 8 ounces of oyster meat," and "Slack Filled—contains excessive brine. Contents, 3¼ ounces. Oyster Meat. This size can should contain 4 ounces Oyster Meat."

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

12343. Adulteration of walnut meats. U. S. v. 6 Cases of Walnut Meats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17299. I. S. Nos. 8282-v, 8283-v. S. No. W-1320.)

On February 21, 1923, the United States attorney for the Eastern 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 6 cases of walnut meats remaining in the original unbroken packages at Spokane, Wash., consigned by the Sanitary Nut Shelling Co., Los Angeles, Calif., alleging that the article had been shipped on or about January 13, 1923, and transported from the State of California into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Dark Amber" (or "Standard Amber") "* * * Order of Sanitary Nut Shelling Co."

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