

maintaining 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, 7½ 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.