

ments represented that each of the said tablets contained the amount of the article declared on the label, whereas the alleged codeine phosphate tablets contained no codeine phosphate but did contain codeine sulphate, and the remaining tablets contained less of the respective products than declared on the labels. Misbranding was alleged with respect to the alleged codeine phosphate tablets for the further reason that it was an imitation of and was offered for sale under the name of another article, codeine phosphate tablets.

On March 3, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$500.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13327. Adulteration of Manchurian walnuts. U. S. v. 196 Sacks of Manchurian Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 730-c. I. S. No. 11608-v. S. No. W-1439.)

On or about October 10, 1923, the United States attorney for the Southern District of California, acting upon a report by an official of the State of California, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 196 sacks of Manchurian walnuts, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped from New York, N. Y., on or about August 31, 1923, and transported from the State of New York 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 in whole and in part of a filthy, decomposed, and putrid animal and vegetable substance, in that the said nuts were wormy, webby, rancid, and rotten.

On October 29, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13328. Adulteration of prunes and fish. U. S. v. Antonio Sesso. Plea of guilty. Fine, \$20. (F. & D. No. 745-c.)

On November 19, 1924, the United States attorney for the District of Columbia filed in the police court of said district an information against Antonio Sesso, Washington, D. C., alleging that on November 14, 1924, the said defendant did offer for sale and sell in the District of Columbia, in violation of the food and drugs act, a quantity of prunes and fish which were adulterated.

It was alleged in the information that the articles were filthy, in that they contained worms.

On November 19, 1924, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13329. Adulteration of beef. U. S. v. Isreal Finkerstein. Collateral of \$25 forfeited. (F. & D. No. 734-c.)

On June 5, 1924, the United States attorney for the District of Columbia, acting upon a report by a health officer of said district, filed in the police court of the District of Columbia, holding a district court, an information against Isreal Finkerstein, Washington, D. C., alleging that on June 3, 1924, the said defendant did offer for sale and sell in the District of Columbia, in violation of the food and drugs act, a quantity of beef which was adulterated.

It was alleged in the information that the article was unfit for food in that it was decomposed.

On June 6, 1924, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13330. Adulteration and misbranding of canned oysters. U. S. v. 698 Cases of Bull Head Brand Oysters. Consent decree of condemnation. Product released under bond. (F. & D. Nos. 20003 to 20007, incl. I. S. Nos. 14691-v to 14695-v, incl. S. No. C-4708.)

On or about April 16, 1925, the United States attorney for the Middle District of Tennessee, 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 698 cases of oysters, remaining in the original

unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the Biloxi Canning Co., Biloxi, Miss., on or about January 11, 1925, and transported from the State of Mississippi into the State of Tennessee, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Bull Head Brand Oysters Net Weight * * * 5 Ounces."

Adulteration of the article was alleged in the libel for the reason that a substance, water or brine, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Net Weight * * * 5 Ounces," borne on the labels, was false and misled the purchaser, and in 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 or about April 27, 1925, the Biloxi Canning Co., Biloxi, Miss., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation 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 relabeled and brought into compliance with the law under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13331. Adulteration of frozen mixed eggs. U. S. v. 66 Cans of Frozen Mixed Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18504. I. S. No. 13145-v. S. No. E-4784.)

On March 20, 1924, the United States attorney for the Eastern District of New York, 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 66 cans of frozen mixed eggs, remaining in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by the Omaha Cold Storage Co., from Omaha, Nebr., on or about November 19, 1923, and transported from the State of Nebraska into the State of New York, 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, or putrid animal substance.

On April 29, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13332. Adulteration of shell eggs. U. S. v. Jasper Leland Warren. Plea of guilty. Fine, \$10. (F. & D. No. 18312. I. S. No. 8506-v.)

On April 5, 1924, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Jasper Leland Warren, trading as the Warren Produce Co., Benkelman, Nebr., alleging shipment by said defendant, in violation of the food and drugs act, on or about August 22, 1923, from the State of Nebraska into the State of Colorado, of a quantity of shell eggs which were adulterated. The article was labeled in part: (Tag) "From Warren Produce Company J. Leland Warren, Prop. Benkelman, Nebraska."

Examination by the Bureau of Chemistry of this department of 1,980 eggs from the consignment showed that 137, or 6.91 per cent of those examined, were inedible eggs.

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

On March 2, 1925, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13333. Misbranding of canned corn. U. S. v. 78 Dozen Cans of Canned Corn. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19915. I. S. No. 23242-v. S. No. C-4683.)

On or about March 25, 1925, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying