

products for the further reason that they were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 15, 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.*

13519. Misbranding of oysters and adulteration and misbranding of scallops. U. S. v. Albert L. Doughty. Plea of guilty. Fine, \$50. (F. & D. No. 19256. I. S. Nos. 2355-v, 2356-v, 2977-v, 15883-v, 15884-v.)

On March 21, 1925, the United States attorney for the Eastern District of Virginia, 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 L. Doughty, trading at Willis Wharf, Va., alleging shipment by said defendant, in violation of the food and drugs act as amended, in various consignments, on or about January 29 and 30, 1924, respectively, from the State of Virginia into the State of New York, of quantities of oysters which were misbranded and of a quantity of scallops which were adulterated and misbranded, and on or about January 29, 1924, from the State of Virginia into the State of Pennsylvania and New York, respectively, of quantities of scallops which were adulterated and misbranded. The cans were labeled in part: "Minimum Volume 1 Gallon."

Examination of the articles by the Bureau of Chemistry of this department showed that the scallops contained added water and that the cans contained less than 1 gallon of the respective products.

Adulteration of the scallops was alleged in the information for the reason that water had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and for the further reason that added water had been substituted for scallops, which the article purported to be.

Misbranding was alleged with respect to both products for the reason that the statement, to wit; "Minimum Volume 1 Gallon," borne on the cans containing the respective articles, was false and misleading, in that the said statement represented that each of said cans contained 1 gallon of scallops or oysters, as the case might be, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 1 gallon of scallops or oysters, as the case might be, whereas each of said cans did not contain 1 gallon of the respective products but did contain a less amount. Misbranding was alleged for the further reason that the articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On May 15, 1925, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

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

13520. Adulteration and misbranding of horse and mule feed. U. S. v. Norfolk Feed Milling Co. Plea of guilty. Fine, \$50. (F. & D. No. 19245. I. S. Nos. 955-v, 966-v, 3444-v.)

On March 21, 1925, the United States attorney for the Eastern District of Virginia, 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 Norfolk Feed Milling Co., a corporation, Norfolk, Va., alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about May 26 and November 16 and 27, 1923, respectively, from the State of Virginia into the State of North Carolina, of quantities of horse and mule feed which was adulterated and misbranded. Two consignments of the product were labeled in part: "Norfeeco Horse And Mule Feed Manufactured By Norfolk Feed Milling Co., Inc., Norfolk, Virginia Guaranteed Analysis Protein 9 per cent * * * Fat 2 per cent Fibre 12 per cent Made from Corn, Oats, Alfalfa, Molasses and Ground Grain Screenings." The remaining consignment of the product was labeled in part: "Blue Ridge Horse And Mule Feed 90% Grain Manufactured By Norfolk Feed Milling Co., Inc. Norfolk, Virginia Guaranteed Analysis Protein 10 per cent."

Analyses by the Bureau of Chemistry of this department of a sample from each of the two consignments of Norfeeco feed showed that the said samples

contained 8.50 per cent and 7.22 per cent, respectively, of protein and 1.76 per cent and 1.44 per cent, respectively, of fat. Examination of the said Norfeeco feed showed that the oats declared consisted mostly of oat screenings, alfalfa was present in a very small amount, and ground peanut hulls were present in addition to the declared ingredients. Analysis of a sample of the Blue Ridge feed showed that it contained 8.76 per cent of protein.

Adulteration of the Norfeeco feed was alleged in the information for the reason that substances undeclared upon the tags, to wit, oat screenings and ground peanut hulls, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that a product containing less than 2 per cent of fat and less than 9 per cent of protein, and containing undeclared substances, to wit, oat screenings and ground peanut hulls, had been substituted for a feed made solely from corn, oats, alfalfa, molasses, and ground screenings and containing 2 per cent of fat and 9 per cent of protein, which the said article purported to be. Adulteration of the Blue Ridge feed was alleged in substance in the information for the reason that a feed containing less than 10 per cent of protein had been substituted for a feed having a guaranteed protein content of 10 per cent, which the article purported to be.

Misbranding of the Norfeeco feed was alleged in substance for the reason that the statements, to wit, "Horse And Mule Feed * * * Guaranteed Analysis Protein 9 per cent * * * Fat 2 per cent * * * Made from Corn, Oats, Alfalfa, Molasses and Ground Grain Screenings," borne on the tags attached to the sacks containing the article, were false and misleading, in that the said statements represented that the article was made solely from corn, oats, alfalfa, molasses, and ground grain screenings and that it contained 2 per cent of fat and 9 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was made solely from corn, oats, alfalfa, molasses, and ground grain screenings and contained 2 per cent of fat and 9 per cent of protein, and that alfalfa was one of its principal ingredients, whereas the article was not made solely from corn, oats, alfalfa, molasses, and ground grain screenings but did contain undeclared ingredients; it contained less than 2 per cent of fat and less than 9 per cent of protein and contained so negligible an amount of alfalfa as not to warrant its declaration as an ingredient. Misbranding of the Blue Ridge feed was alleged for the reason that the statement, to wit, "Horse And Mule Feed * * * Guaranteed Analysis Protein 10 per cent," borne on the sacks containing the article, was false and misleading, in that it represented that the article contained 10 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained 10 per cent of protein, whereas it did not but did contain less than 10 per cent of protein.

On May 11, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

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

13521. Adulteration of shell eggs. U. S. v. Lawson D. Stoneham. Plea of guilty. Fine, \$50. (F. & D. No. 19341. I. S. No. 17008-v.)

On March 21, 1925, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lawson D. Stoneham, Molusk, Va., alleging shipment by said defendant, in violation of the food and drugs act, on or about August 7, 1924, from the State of Virginia into the State of Maryland, of a quantity of shell eggs which were adulterated. The article was labeled in part: "L. D. Stoneham Molusk Virginia."

Examination by the Bureau of Chemistry of this department of the 360 eggs in the consignment showed that 101 eggs, or 28 per cent thereof, were inedible eggs, consisting of black rots, mixed rots, and 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 May 14, 1925, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

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