

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

On January 4, 1926, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

14377. Adulteration and misbranding of canned oysters. U. S. v. 37 Cases of Oysters. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20195. I. S. No. 22378-v. S. No. C-4772.)

On July 10, 1925, 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 a libel praying seizure and condemnation of 37 cases of oysters, remaining in the original unbroken packages at Paris, Tex., alleging that the article had been shipped by the C. B. Foster Packing Co., Inc., from Biloxi, Miss., January 26, 1925, and transported from the State of Mississippi into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Miss-Lou Brand Oysters Contents 5 Oz. Mays Food Products, Inc. Packers And Distributors New Orleans, La."

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

Misbranding was alleged for the reason that the statement "Mays Food Products, Inc., Packers And Distributors Contents 5 Oz.," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further 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 August 19, 1925, the C. B. Foster Packing Co., claimant, having admitted the allegations of the libel and 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 \$500, in conformity with section 10 of the act. It was further ordered by the court that the product be relabeled in accordance with the law.

W. M. JARDINE, *Secretary of Agriculture.*

14378. Adulteration and misbranding of canned oysters. U. S. v. 25 Cases of Canned Oysters. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 21004. I. S. No. 4077-x. S. No. C-5066.)

On April 5, 1926, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 cases of canned oysters, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the E. C. Joullian Packing Co., Lakeshore, Miss., on or about January 7, 1926, and transported from the State of Mississippi into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Biloxi Brand Oysters Net Weight Contents 5 Oz. Packed By E. C. Joullian Packing Co. Lake Shore, Miss."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive 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 Contents 5 Oz.," borne on the label, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further 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 May 31, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*