

On March 21, 1927, 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.*

14925. Adulteration of shell eggs. U. S. v. James T. Oder (Hastings Poultry Co.). Plea of guilty. Fine, \$50. (F. & D. No. 19780. I. S. No. 1407-x.)

On August 9, 1926, 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 James T. Oder, trading as the Hastings Poultry Co., Hastings, Nebr., alleging shipment by said defendant, in violation of the food and drugs act, on or about August 30, 1925, from the State of Nebraska into the State of Illinois, of a quantity of shell eggs which were adulterated.

Analysis by the Bureau of Chemistry of this department of 10 half cases of the article, or 1,800 eggs, showed 366, or 20.3 per cent, inedible eggs.

It was alleged in the information that the article was adulterated, in that it consisted in part of a filthy and decomposed and putrid animal substance.

On March 14, 1927, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

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

14926. Adulteration and misbranding of chocolate coating. U. S. v. 4½ Cases of Chocolate Coating. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21008. I. S. No. 1988-x. S. No. C-5048.)

On April 9, 1926, the United States attorney for the Western District of Kentucky, 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 4½ cases of chocolate coating, remaining in the original unbroken packages at Louisville, Ky., alleging that the article had been shipped by the Royal Cocoa Co., Philadelphia, Pa., on or about September 11, 1925, and transported from the State of Pennsylvania into the State of Kentucky, and charging adulteration and misbranding in violation of the food and drugs act.

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

Misbranding was alleged for the reason that the statement "100 Lbs. Chocolate Liquors Besco No. 2," borne on the label, was false and misleading and deceived and misled the purchaser, since the said article was a mixture of chocolate and shell, and for the further reason that it was offered for sale under the distinctive name of another article.

On December 28, 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.*

14927. Misbranding and alleged adulteration of canned tuna fish. U. S. v. 50 Cases of Tuna Fish. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20702. I. S. No. 5811-x. S. No. E-5602.)

On December 9, 1925, the United States attorney for the Western 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 seizure and condemnation of 50 cases of tuna fish, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Halfhill Packing Corporation at Los Angeles, Calif., August 15, 1925, and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Gold Leaf Brand California Tuna Contents 13 Ozs. Packed For * * * & Co., Buffalo, N. Y."

It was alleged in substance in the libel that the article was short weight and slack filled and was adulterated, in that excessive amounts of cottonseed oil had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Contents 13 Ozs.," borne on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package