

**5013. Adulteration of scallops. U. S. \* \* \* v. 10 Boxes of Scallops. U. S. \* \* \* v. 12 Boxes of Scallops. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 322-c, 320-c.)**

On January 20 and 29, 1917, the United States attorney for the District of Massachusetts, acting upon a report by the Commissioner of the Massachusetts State Department of Health, authorized by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information praying for the seizure and condemnation of 10 boxes of scallops and 12 boxes of scallops, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the 10 boxes had been shipped by the Jackson Fish Co., Morehead City, N. C., and that the 12 boxes had been shipped by the Morehead City Sea Food Co., Inc., Morehead City, N. C., and transported from the State of North Carolina into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article in each shipment was alleged in the libels of information for the reason that a substance—to wit, added water—had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article.

On February 23, 1917, Patrick J. Connolly, doing business as the Union Lobster Co., Boston, Mass., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*