

7604. Adulteration of eggs. U. S. * * * v. 18 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11445. I. S. No. 2097-r. S. No. W-498.)

On September 19, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 cases of eggs, consigned by Frank Dorn, Big Springs, Neb., remaining, unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about September 14, 1919, and transported from the State of Nebraska into the State of Colorado, 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 part of a filthy, decomposed, and putrid animal substance, to wit, of decomposed and rotten eggs, and was unfit for food.

On November 4, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

7605. Adulteration of eggs. U. S. * * * v. 17 Cases of Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11451. I. S. No. 2539-r. S. No. W-473.)

On August 27, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 cases, each containing 30 dozen of eggs, consigned by B. W. Hayden, Benkelman, Neb., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about August 20, 1919, and transported from the State of Nebraska into the State of Colorado, 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 part of a filthy, decomposed, and putrid animal substance, decomposed and rotten eggs, and was unfit for food.

On November 4, 1919, George L. Reed, Denver, Colo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7606. Adulteration and misbranding of unsweetened evaporated milk. U. S. * * * v. H. P. Hood & Sons, a corporation. Plea of nolo contendere. Fine, \$200. (F. & D. No. 9657. I. S. Nos. 13614-r, 14807-r.)

On July 30, 1919, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against H. P. Hood & Sons, a corporation, doing business at St. Albans, Vt., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 4, 1918, and June 11, 1918, from the State of Vermont into the States of New York and Pennsylvania, of quantities of an article, labeled in part "Nutfield Brand Unsweetened Evaporated Milk," which was adulterated and misbranded.

Analyses of samples of the article made in the Bureau of Chemistry of this department showed it to be insufficiently evaporated.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, a partially evaporated milk, had been mixed and packed therewith so as to lower and reduce and injuriously affect

its quality and strength, and had been substituted in whole or in part for evaporated milk, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Evaporated Milk," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of evaporated milk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated milk, whereas, in truth and in fact, it did not so consist, but consisted in whole or in part of partially evaporated milk, and for the further reason that it was a mixture composed in whole or in part of partially evaporated milk prepared in imitation of evaporated milk, and was offered for sale and sold under the distinctive name of another article, to wit, evaporated milk.

On December 17, 1919, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

7607. Adulteration of oysters. U. S. * * * v. F. F. East & Co., a corporation. Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 11350. I. S. Nos. 13388-r, 13687-r.)

On January 26, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against F. F. East & Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 1, 1919, and January 20, 1919, from the State of Maryland into the State of Pennsylvania, of a quantity of oysters which were adulterated.

Analyses of samples of the article made in the Bureau of Chemistry of this department showed the following results:

	Shipment of Feb. 1.	Shipment of Jan. 20.
Solids in meat (per cent)-----	14.6	15.1
Solids in sample as received (per cent)-----	12.5	12.5
Loss on boiling (per cent)-----	50.0	53.5

Results show oysters had been soaked with water.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On January 26, 1920, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7608. Misbranding of cottonseed meal. U. S. * * * v. Planters Cotton Oil Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11353. I. S. Nos. 19423-p, 19424-p.)

On December 15, 1919, 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 an information against the Planters Cotton Oil Co., a corporation, Pine Bluff, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 31, 1918, from the State of Arkansas into the State of Kansas, of a quantity of an article, invoiced as cottonseed meal, which was misbranded.