

the Hilton Head Packing Co., Savannah, Ga., on or about May 27, 1922, and transported from the State of Georgia into the State of Tennessee, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Hilton Head Brand * * * Oysters Contains 5 Oz. Oyster Meat Packed By Hilton Head Packing Co., Office: Savannah, Ga."

Adulteration of the article was alleged in the libel for the reason that excessive brine had been mixed and packed therewith so as to reduce, lower, and 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, "Hilton Head Brand Oysters Contains 5 Oz. Oyster Meat," together with the design showing opened oysters, appearing on the labels, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article, and for the further reason that it 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 17, 1923, 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.

HOWARD M. GORE, *Secretary of Agriculture.*

12605. Misbranding of crab meat. U. S. v. 98 1-Pound Tins of Crab Meat. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18923. I. S. No. 13285-v. S. No. E-4926.)

On August 25, 1924, the United States attorney for the Southern 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 the seizure and condemnation of 98 1-pound tins of crab meat, remaining in the original unbroken packages at New York, N. Y., consigned by W. L. Tull & Bro., Crisfield, Md., alleging that the article had been shipped from Crisfield, Md., on or about August 16, 1924, and transported from the State of Maryland into the State of New York, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Net Contents 1 Lb."

Examination of the article by the Bureau of Chemistry of this department showed that the cans contained less than 1 pound net of crab meat.

Misbranding of the article was alleged in the libel for the reason that the statement, "Net Contents 1 Lb.," 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 September 15, 1924, 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.

HOWARD M. GORE, *Secretary of Agriculture.*

12606. Adulteration of canned blueberries. U. S. v. 149 Cases of Canned Blueberries. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 18537. I. S. No. 15897-v. S. No. E-4796.)

On April 7, 1924, the United States attorney for the Southern 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 the seizure and condemnation of 149 cases of canned blueberries, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Bangor Sanitary Packing Co., from Bangor, Me., October 26, 1923, and transported from the State of Maine into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Schoppe Brand * * * Extra Select Blueberries Packed and Guaranteed by Bangor Sanitary Packing Co., Bangor, Maine."

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.

On September 11, 1924, the claimant for the property 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 destroyed by the United States marshal, and that the claimant pay the costs of the proceedings.

HOWARD M. GORE, *Secretary of Agriculture.*