

**17492. Adulteration of oysters. U. S. v. Thomas E. Jones (Thos. E. Jones & Co.). Plea of guilty. Fine, \$4. (F. & D. No. 25017. I. S. Nos. 022120, 022121.)**

Samples of oysters from the herein-described interstate shipments having been found to contain excessive water, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On June 6, 1930, the said United States attorney filed in the District Court of the United States aforesaid an information against Thomas E. Jones, trading as Thos. E. Jones & Co., Cambridge, Md., alleging shipment by said defendant in violation of the food and drugs act in two consignments on or about November 14 and November 15, 1929, respectively, from the State of Maryland into the State of Delaware of quantities of oysters which were adulterated. The article was labeled in part: "From Thos. E. Jones & Co. Wholesale Planters, Packers and Shippers of \* \* \* Oysters Cambridge, Maryland."

It was alleged in the information that the article was adulterated in that water had been mixed and marked therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters which the said article purported to be.

On June 6, 1930, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$4.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17493. Adulteration of dressed poultry. U. S. v. 2 Barrels of Dressed Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24747. I. S. No. 027401. S. No. 3107.)**

The dressed poultry from the herein-described interstate shipment having been found to contain emaciated, tubercular, and otherwise diseased birds, the Secretary of Agriculture reported the facts to the United States attorney for the District of Massachusetts.

On May 3, 1930, the United States attorney filed in the District Court of the United States aforesaid a libel praying seizure and condemnation of 2 barrels of dressed poultry at Boston, Mass., alleging that the article had been shipped by the Fremont Beverage Co., Fremont, Nebr., on or about April 19, 1930, and transported from the State of Nebraska into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance; in that it consisted in whole or in part of a portion of an animal unfit for food; and in that it was the product of a diseased animal.

On May 19, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17494. Misbranding of butter. U. S. v. 7 Cases of Butter. Product released under bond to be reconditioned. (F. & D. No. 24892. I. S. No. 018571. S. No. 3147.)**

An examination of samples of the print butter from the herein-described interstate shipment having shown that certain prints contained less than the amount labeled, namely, 1 pound, the Secretary of Agriculture reported the facts to the United States attorney for the District of Utah.

On May 19, 1930, the United States attorney filed in the District Court of the United States aforesaid a libel praying seizure and condemnation of 7 cases, each containing 60 pounds of butter, remaining in the original and unbroken packages at Logan, Utah, alleging that the article had been shipped by the Sego Milk Products Co., from Preston, Idaho, on or about May 16, 1930, and had been transported from the State of Idaho into the State of Utah, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Print wrapper) "Churned especially for Sewell's United Stores, Creamery Butter, 1 Pound Net Weight, Office Salt Lake City, Utah."

It was alleged in the libel that the article was misbranded in that the statement "1 Pound Net Weight" 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 failed to bear a plain and conspicuous statement of the quantity of the contents, since the statement made was not correct.