

29510. Adulteration and misbranding of oysters. U. S. v. Joseph Cobb Lore, Joseph Cobb Lore, Jr., and Gordon Ira Rupert Lore (trading as J. C. Lore & Sons). Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 40804. Sample Nos. 65551-C, 65554-C, 65555-C.)

This product contained excessive moisture and was short of the declared volume.

On June 16, 1938, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Joseph Cobb Lore, Joseph Cobb Lore, Jr., and Gordon Ira Rupert Lore, trading as J. C. Lore & Sons at Solomons, Md., alleging shipment by said defendants on or about November 17, 1937, from the State of Maryland into the State of Pennsylvania, of a quantity of oysters which were adulterated and misbranded in violation of the Food and Drugs Act as amended; and delivery on or about November 21, 1937, for shipment from the State of Maryland into the State of Pennsylvania of quantities of oysters which were also adulterated and misbranded in violation of said act.

The article was alleged to be adulterated in that water had been mixed and packed therewith so as to reduce or lower its quality or strength, and had been substituted wholly or in part for the article.

Misbranding was alleged in that the statement "One Pint Net," borne on the can, was false and misleading and was borne on said can so as to deceive and mislead the purchaser, since the cans contained less than 1 pint net.

On September 23, 1938, pleas of guilty were entered on behalf of the defendants and the court imposed a fine of \$25 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

29511. Adulteration of apple butter. U. S. v. 31 Cases of Apple Butter. Default decree of condemnation and destruction. (F. & D. No. 42959. Sample No. 29916-D.)

This product contained rodent hairs, insects, and insect fragments.

On June 20, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 31 cases of apple butter at Camden, N. J.; alleging that the article had been shipped in interstate commerce on or about May 18, 1938, by Adams Apple Products Corporation from Aspers, Pa.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Adams Apple Brand Apple Butter."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On September 17, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29512. Adulteration of candy. U. S. v. 23 Cartons, et al., of Candy (and nine other seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 43242, 43243, 43244, 43319, 43320, 43321, 43375, 43381, 43382, 43383, 43535, 43536, 43537, 43548. Sample Nos. 23930-D, 23931-D, 23932-D, 23936-D, 23954-D, 23955-D, 23956-D, 37816-D, 37817-D, 37818-D, 37940-D, 37943-D, 37944-D, 37955-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original packages, was at the time of examining found to be insect-infested.

On August 6, 9, 16, and 20, 1938, the United States attorneys for the Northern District of Alabama and the Southern District of Texas, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 171 cartons of candy at Birmingham, Ala., and 67 cartons of candy at Houston, Tex.; alleging that the article had been shipped in interstate commerce on various dates between February 9 and May 19, 1938, in part by Hollywood Candy Co. from Minneapolis, Minn., and from Centralia, Ill., in part by Charles N. Miller Co., from Boston, Mass., and in part by the Euclid Candy Co., from Brooklyn, N. Y.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On or about September 14, 21, 23, and 29, October 6, and December 29, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*