

the United States for said district an information against James W. Hatchett, trading as Hatchett Bros., at Clinton, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, from the State of Arkansas into the State of Missouri, on or about July 7, and July 9, 1919, of quantities of shell eggs which were adulterated.

Examination of representative samples of the article from each shipment made by the Bureau of Chemistry of this department showed 14 per cent and 15.1 per cent, respectively, of inedible eggs.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 14, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$15 and costs.

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

8519. Adulteration and misbranding of egg noodles. U. S. * * * v. 388 Cases of Egg Noodles. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12759. I. S. No. 3434-r. S. No. W-608.)

On or about May 28, 1920, the United States attorney for the Western District of Washington, 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 388 cases of egg noodles, at Seattle, Wash., alleging that the article had been shipped by the F. A. Martoccio Macaroni Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of Washington, arriving on or about April 2, 1920, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cases) "24 Packages Electric Process Quality Brand Machine Dried Products, F. A. Martoccio Macaroni Co., Minneapolis, Minn.;" (carton) "Electric Process Quality Egg Noodles 4½ Ozs. Net Wt. Quality Brand Egg Noodles made from semolina and eggs F. A. Martoccio Macaroni Co., Minneapolis, Minn."

Adulteration of the article was alleged in substance in the libel for the reason that a product deficient in eggs had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged for the reason that the statement on the label, "Egg Noodles," was false and misleading and deceived and misled the purchaser when applied to a product deficient in eggs. Misbranding was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On July 30, 1920, the F. A. Martoccio Macaroni Co., having filed a claim for the property, 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 filing of a bond in the sum of \$500, in conformity with section 10 of the act.

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

8520. Misbranding of cottonseed meal. U. S. * * * v. Union Seed & Fertilizer Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 848). I. S. No. 19653-m.)

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 Union Seed & Fertilizer Co., Helena, Ark., alleging shipment by the said defendant, in violation of the Food and Drugs Act, on or about December 27, 1916, from the State of Arkansas into the State of Indiana, of a quantity of an article, labeled in part "Security Brand Cottonseed Meal," which was misbranded.