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

On March 29, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of $10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10473. Adulteration of scallops. U. S. * * * v. Lewis Kerby Piner and Martin Luther Piner (Piner Bros.), and Piner Bros., a Corporation. Fine of $10 and costs imposed in each case upon pleas of guilty. (F. & D. Nos. 11615, 14536. I. S. Nos. 12805-r, 13842-r, 203-r, 206-r, 211-r, 548-r, 14095-r.)

On February 5 and May 13, 1921, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district informations against Lewis Kerby Piner and Martin Luther Piner, trading as Piner Bros., and against Piner Bros., a corporation, Morehead City, N. C., alleging shipment by said defendants, on or about March 7, 1919, from the State of North Carolina into the State of Massachusetts, and on or about March 5, 1919, from the State of North Carolina into the State of New York, and by said corporation, on or about March 10 and 11, 1920, from the State of North Carolina into the State of Maryland, on or about March 10, 1920, from the State of North Carolina into the State of Pennsylvania, and on or about March 6, 1920, from the State of North Carolina into the State of New York, of quantities of an article of food, to wit, scallops, which in each case was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the presence of added water.

Adulteration of the article shipped by the individual defendants was alleged in one of the informations for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and for the further reason that valuable constituents of the said article had been in part abstracted therefrom. Adulteration of the article shipped by the defendant corporation was alleged in the other information for the reason that a substance, to wit, water, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for scallops, which the article purported to be, and for the further reason that a certain valuable constituent of the article, to wit, scallop solids, had been in part abstracted.

On January 17, 1922, a plea of guilty to one of the informations having been entered on behalf of the individual defendants, the court imposed of fine of $10 and costs, and on April 27, 1922, a plea of guilty to the other information having been entered on behalf of the defendant corporation the court imposed a fine of $10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10474. Misbranding of beans. U. S. * * * v. The Bay Fruit Co., a Corporation. Plea of guilty. Fine, $50 and costs. (F. D. No. 13904. I. S. No. 14473-r.)

On October 8, 1921, the United States attorney for the Eastern District of South Carolina, 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 Bay Fruit Co., a corporation, Charleston, S. C., alleging shipment by said company, on or about May 23, 1919, in violation of the Food and Drugs Act, as amended, from the State of South Carolina into the State of New York, of an article of food, to wit, beans, which was misbranded. The baskets containing the article bore no statements as to weight or contents.

Misbranding of the article was alleged in the information for the 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 March 3, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*