of 33 dozen boxes of oranges, remaining in the original unbroken boxes at Portland, Oreg., alleging that the article had been shipped by the Randolph Marketing Co., from San Dimas, Calif., February 27, 1922, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Blue Star Brand Oranges, Randolph Marketing Co., California Golden Quality, California."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a decomposed vegetable substance.

On April 4, 1922, the Randolph Marketing Co. having entered an appearance as claimant for the property and having filed a good and sufficient bond, in conformity with section 10 of the act, and the product having been sorted under the supervision of this department in accordance with a stipulation and decree theretofore filed, by consent of the claimant it was ordered by the court that the 109 boxes of the product which had been passed by this department as good and sound be released to the said claimant, that the balance thereof be condemned and destroyed, and that the bond be released and exonerated.

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

10503. Adulteration of middlings. U. S. * * * v. 400 Sacks of Middlings. Judgment by consent providing for release of product under bond. (F. & D. No. 15604. I. S. No. 9328-t. S. No. E-3645.)

On November 10, 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 a libel for the seizure and condemnation of 400 sacks of middlings, remaining in the original unbroken packages at Franklinton, N. C., consigned by the Mayo Milling Co., Richmond, Va., alleging that the article had been shipped from Richmond, Va., on or about September 23, 1921, and transported from the State of Virginia into the State of North Carolina, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Tag) "* * * Mayo's Bull Middlings * * * Mayo Milling Co., Inc., Distributors, Richmond, Va."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On April 12, 1922, the Mayo Milling Co., Richmond, Va., claimant, having executed a bond in the sum of $1,000 and having paid the costs of the proceedings, in conformity with section 10 of the act, judgment by consent was entered ordering the release of the product to the said claimant.

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

10504. Adulteration and misbranding of olive oil. U. S. * * * v. 20 Half-Gallon Cans of * * * Olive Oil. Default decree of condemnation and forfeiture. Product delivered to the Salvation Army. (F. & D. No. 14118. I. S. No. 6263-t. S. No. E-3014.)

On December 27, 1920, 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 for the seizure and condemnation of 20 half-gallon cans of a product purporting to be olive oil, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from Providence, R. I., on or about November 30, 1920, and transported from the State of Rhode Island into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that an oil other than olive oil had been mixed and packed with and substituted in part for the said article, and for the further reason that the article had been mixed in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statements on the labels on the cans containing the article, regarding the article and the ingredients and substances contained in the said cans, to wit, "Prodotti Italiani Olio di Oliva Pure Olive Oil Sopraffino Italia Brand Trade Mark Lucca Toscana Italia Net Contents ½ Gall.," were false and misleading and deceived and misled the purchaser by representing that the product was an Italian olive oil when it was not. Misbranding was alleged in substance 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 thereof, since the quantity marked on the outside of said packages was not correct.

On October 4, 1921, 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 delivered to the Salvation Army for consumption and not for sale.

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

10505. Adulteration of scallops. U. S. * * * v. John M. Lewis, Benny P. Way, and Brady C. Way (trading as The John M. Lewis Fish House, or Way Bros. Co.). Fine of $10 and costs imposed in each case upon pleas of guilty. (F. & D. Nos. 14046, 15263. I. S. Nos. 208–r, 6637–t, 7538–t.)

On April 29 and November 1, 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 John M. Lewis, Benny P. Way, and Brady C. Way, copartners, trading as the John M. Lewis Fish House or under the firm name and style of the Way Bros. Co., as the case might be, Beaufort, N. C., alleging shipment by said defendants, in violation of the Food and Drugs Act, in one of the informations, on or about March 11, 1920, from the State of North Carolina into the State of Massachusetts, and in the other information, on or about March 21 and 26, 1921, from the State of North Carolina into the State of New York, of quantities of an article of food, to wit, scallops, which 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 was alleged in each information for the reason that a substance, to wit, added water, had been mixed and packed therewith 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 valuable constituent of the article, to wit, scallop solids, had been in part abstracted.

On January 17 and April 25, 1922, respectively, pleas of guilty to the informations were entered on behalf of the defendants, and on the first-named date and on April 30, 1922, the court imposed a fine of $10 and costs in each case.

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

10506. Adulteration and misbranding of canned kidney beans. U. S. * * * v. 25 Cases * * * of Red Kidney Beans * * *. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12509. I. S. No. 10751–r. S. No. C–1834.)

On March 12, 1920, the United States attorney for the Southern District of Iowa, 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 25 cases of red kidney beans, at Burlington, Iowa, alleging that the article had been shipped by the George Van Camp & Sons Co., Westfield, Ind., on or about November 5, 1919, and transported from the State of Indiana into the State of Iowa, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "George Van Camp's Red Kidney Beans. Contents 10 Oz. Packed by George Van Camp & Sons Company, Westfield, Indiana."

Adulteration of the article was alleged in the libel for the reason that long cranberry beans had been mixed or packed with, or substituted wholly or in part for, red kidney beans.

Misbranding was alleged in substance for the reason that the statement "Red Kidney Beans" was false and misleading and deceived and misled the purchaser when applied to long cranberry beans. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On April 27, 1922, 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, with the proviso, however, that if the George Van Camp & Sons Co., the apparent owner of the property, should pay the costs of the proceedings and execute a bond in the sum of $200, in conformity with section 10 of the act, said bond being conditioned that the said product be relabeled so as to show truthfully and ac-