

**10755. Adulteration of oysters. U. S. v. George H. Stanford. Collateral of \$25 forfeited. (F. & D. No. 15003. I. S. Nos. 8712-t, 8816-t.)**

On December 3, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against George H. Stanford, Washington, D. C., alleging that on January 14 and 18, 1921, respectively, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, quantities of oysters which were adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained added water.

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 oysters, which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, oyster solids, had been in part abstracted.

On December 3, 1921, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

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

**10756. Adulteration and misbranding of bran and screenings. U. S. v. 500 Sacks of Alleged Bran and Screenings. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 15303. I. S. No. 1037-t. S. No. C-3128.)**

On August 16, 1921, the United States attorney for the District of Kansas, 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 500 sacks, more or less, of alleged bran and screenings, remaining in the original unbroken packages at Kansas City, Kans., alleging that the article had been shipped on or about June 20, 1921, by the Whitewater Flour Mills Co., Whitewater, Kans., and transported from the State of Kansas into the State of Missouri, and thereafter reshipped into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "The Ross Feed Company, Whitewater, Kansas, 100 lbs. Wheat Bran & Screenings \* \* \*."

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

Misbranding was alleged for the reason that the labeling was false and calculated to induce the purchaser to believe that each of said sacks contained wheat bran and screenings, when, in truth and in fact, they contained an adulterated commodity totally unfit for the purpose for which it was intended. Misbranding was alleged for the further reason that each of the sacks did not contain 100 pounds, but, in truth and in fact, contained a much less quantity and the labeling thereof was false and calculated to induce the purchaser to believe that each of the sacks contained 100 pounds, when, in truth and in fact, they contained a much less quantity than 100 pounds, and the true quantity of the contents was not plainly and conspicuously marked on the outside of said sacks, or any of them.

On March 7, 1922, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal as a misbranded and adulterated article, and that the purchaser give bond, in conformity with section 10 of the act, conditioned in part that the article be properly branded. It was further ordered that in the event it should not be sold the product should be destroyed by the United States marshal.

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

**10757. Misbranding of butter. U. S. v. Glen W. Hudson, Carl A. Nyhus, George N. Zlackatt, and J. H. Majors (the Raton Creamery Co.). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 15590. I. S. Nos. 10824-t, 10825-t.)**

On March 14, 1922, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against