

**7574. Misbranding of potatoes. U. S. \* \* \* v. George Wager and Archie Foster (George Wager & Co.). Plea of guilty by the defendant George Wager. Fine, \$50. Nolle pros as to the defendant Archie Foster. (F. & D. No. 11608. I. S. No. 13810-r.)**

On December 16, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George Wager and Archie Foster, trading as George Wager & Co., Edmore, Mich., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 30, 1919, from the State of Michigan into the State of New York, of a quantity of potatoes which were misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the sacks were not marked with the net weight of the 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 thereof in terms of weight, measure, or numerical count.

On December 19, 1919, the defendant George Wager, entered a plea of guilty to the information, and the court imposed a fine of \$50. A nolle pros was entered as to the defendant, Archie Foster.

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

**7575. Adulteration of oysters. U. S. \* \* \* v. Thomas W. Burke, William T. Davis, and L. C. James (National Packing Co.). Pleas of nolo contendere. Fine, \$20 and costs. (F. & D. No. 11610. I. S. Nos. 3539-p, 3549-p, 13693-r, 13394-r.)**

On December 20, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas W. Burke, William T. Davis, and L. C. James, trading as the National Packing Co., Baltimore, Md., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 6, 1918, March 12, 1918, February 3, 1919, and January 21, 1919, from the State of Maryland into the State of Pennsylvania, of quantities of oysters which were adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Shipment of—			
	March 6, 1918.	March 12, 1918.	January 21, 1919.	February 3, 1919.
Drained meat (per cent).....	83.0	80.9	76.6	81.84
Liquor (per cent).....	17.0	19.1	23.4	18.16
Solids in meat (per cent).....	13.17	12.57	13.45	13.53
Solids in liquor (per cent).....	3.75	2.77	5.37	4.91
NaCl in meat (per cent).....	0.02	0.04	0.01	0.03
NaCl in liquor (per cent).....	0.06	0.23	0.27	0.06
Loss on boiling (per cent).....	55.5	55.3	57.9	56.7
Solids on sample as received (per cent).....	11.57	10.70	11.55	11.97

The product contains added water.