

misbranded. The article was labeled in part: (Cans) "Roma Brand Puro Olio D'Oliva \* \* \* C. Buonocore & Son 1 Gallon" (or " $\frac{1}{2}$  Gallon," or "1 Quart").

Examination of samples of the article by the Bureau of Chemistry of this department showed that the said cans contained less than the quantity declared on the labels thereof.

Misbranding of the article was alleged in substance in the information for the reason that the statements, to wit, "1 Gallon," " $\frac{1}{2}$  Gallon," and "1 Quart," borne on the respective-sized cans containing the said article, regarding the article, were false and misleading in that the said statements represented that each of the said cans contained one gallon, one-half gallon, or one quart of the article, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained one gallon, one-half gallon, or one quart of the said article, as the case might be, whereas, in truth and in fact, each of said cans did not contain the amount declared on the said labels, but did contain a less amount. Misbranding was alleged 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 of the packages.

On November 28, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$120.

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

**11125. Adulteration of ground mace. U. S. v.  $\frac{1}{2}$  Barrel of Ground Mace. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16672. S. No. E-4089.)**

On July 28, 1922, the United States attorney for the District of Massachusetts, 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  $\frac{1}{2}$  barrel of ground mace, remaining in the original and unbroken package at Springfield, Mass., consigned on or about June 7, 1922, alleging that the article had been shipped by Austin Nichols [Austin, Nichols & Co.], New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, dirt, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

On September 1, 1922, Austin, Nichols & Co., New York, N. Y., having entered an appearance as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings.

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

**11126. Adulteration of shell eggs. U. S. v. 7 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16677. I. S. No. 3851-v. S. No. C-3703.)**

On or about July 14, 1922, the United States attorney for the Northern 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 7 cases of eggs, at Sioux City, Iowa, alleging that the article had been shipped by the Farmers Union Cooperative Exchange, Hartington, Nebr., on or about July 5, 1922, and transported from the State of Nebraska into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act.

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

On October 21, 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.

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