11127. Adulteration and misbranding of flour. U. S. v. 81 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16685. I. S. No. 7720–v. S. No. W–1173.)

On July 29, 1922, the United States attorney for the Western District of Washington, 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 81 sacks of flour, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Richardton Milling Co., Richardton, N. Dak., July 1, 1922, and transported from the State of North Dakota into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Richardton Milling Company, Incorporated Never Fails Fancy Flour Richardton, North Dakota 98 Lbs. Fancy Flour Never Fails."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "98 Pounds," was false and misleading and deceived and misled the purchaser, and 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 package.

On or about August 29, 1922, the J. A. Campbell Co., Seattle, Wash., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $400, in conformity with section 10 of the act.

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

11128. Adulteration of shell eggs. U. S. v. 400 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16885. I. S. No. 3941–v. S. No. C–3823.)

On or about October 7, 1922, the United States attorney for the Northern District of Illinois, 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 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by T. E. Russell, Lawson, Mo., June 17, 1922, and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged 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 11, 1922, M. P. Rutledge, Chicago, Ill., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $1,000, in conformity with section 10 of the act, conditioned in part that the product be candled under the supervision of this department, the bad portion destroyed and the good portion released to the claimant.

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

11129. Adulteration of shell eggs. U. S. v. 400 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16903. I. S. No. 3940–v. S. No. C–3817.)

On September 26, 1922, the United States attorney for the Northern District of Illinois, 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 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by E. F. Younkin, from Grand Island, Nebr., May 23, 1922, and transported from the State of Nebraska into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.