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 December 26, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $50.

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

11202. Misbranding of olive oil. U. S. v. John Papadeas. Plea of guilty. Fine, $75. (F. & D. No. 16572. I. S. Nos. 8136-t, 10834-t, 22561-t.)

On December 14, 1922, 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 an information against John Papadeas, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about June 20 and October 11, 1921, respectively, from the State of New York into the States of Utah, Pennsylvania, and Ohio, respectively, of quantities of olive oil which was misbranded. A portion of the article was labeled in part: "Imported Olive Oil * * * JP Brand ½ Gal. Net Contents * * * John Papadeas Importer and Packer." The remainder of the article was labeled in part: "Olio d'Oliva * * * La Preferita Brand 1 Gal. Net Contents * * * J. Papadeas Importer and Packer."

Examination of samples of the article by the Bureau of Chemistry of this department showed that the average volume of 4 cans of the La Preferita brand labeled "1 Gal. Net Contents" was 0.985 gallon, that the average volume of 46 cans of the JP brand labeled "½ Gal. Net Contents" was 0.485 gallon, and that the average volume of 38 cans of the JP brand labeled "Net Contents ¼ Gal." was 0.954 quart.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "½ Gal. Net Contents," "1 Gal. Net Contents," and "Net Contents ¼ Gallon," borne on the respective-sized cans containing the article, regarding the said article, were false and misleading in that they represented that each of the said cans contained one gallon, one-half gallon, or one-quarter gallon, as the case might be, of the said article, 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-quarter gallon, as the case might be, of the said article, whereas, in truth and in fact, each of said cans contained 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 package.

On December 26, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of $75.

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

11203. Adulteration of shell eggs. U. S. v. 7 Cases of Eggs. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 16835. I. S. No. 7538-v. S. No. W-1215.)

On September 2, 1922, the United States attorney for the District of Colorado, 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, remaining unsold in the original unbroken packages at Denver, Colo., consigned by Gauson & Gauson, Hershey, Nebr., alleging that the article had been shipped from Hershey, Nebr., on or about August 28, 1922, and transported from the State of Nebraska into the State of Colorado, 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, decomposed, and putrid animal substance.

On November 20, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the bad portion be destroyed and the good portion sold by the United States marshal.

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

11204. Adulteration of shell eggs. U. S. v. 12 Cases of Eggs. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 16832. I. S. No. 7541-v. S. No. W-1216.)

On September 9, 1922, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the