La Bella Fiume brand oil for the further reason that the statements, design, and device borne on the said cans purported said article to be a foreign product when not so. Misbranding was alleged with respect to both products for the further reason that they were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On February 28, 1923, the defendants entered pleas of guilty to the information, and the court imposed a fine of $100.

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

11317. Misbranding of potatoes. U. S. v. Clarence A. Powers and Edward Edmunds, Jr. (C. A. Powers & Co.). Pleas of nolo contendere. Fine, $25. (F. & D. No. 16839. I. S. No. 8222–t.)

On February 6, 1923, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Clarence A. Powers and Edward Edmunds, jr., copartners, trading as C. A. Powers & Co., Fort Fairfield, Me., alleging shipment by said defendants, on or about November 9, 1921, in violation of the Food and Drugs Act, as amended, from the State of Maine into the State of New Jersey, of a quantity of potatoes which were misbranded.

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 of the package.

On February 13, 1923, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of $25.

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

11318. Adulteration and misbranding of flour. U. S. v. 660 Sacks of Flour. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17080. I. S. No. 8136–v. S. No. W–1266.)

On December 23, 1922, the United States attorney for the District of Nevada, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 660 sacks of flour at Reno, Nev., alleging that the article had been shipped by the Kansas Milling Co., Wichita, Kans., on or about November 17, 1922, and transported from the State of Kansas into the State of Nevada, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Rose of Kansas Flour Highest Patent Kansas Milling Co. Address Wichita, Kansas. Bleached 98 Lbs. Net * * * When Packed."

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

Misbranding was alleged for the reason that the statement, "98 Lbs.," appearing on the labels of the sacks containing the article, was false and misleading and deceived and misled the purchaser. 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 January 4, 1923, the Purity French Bakery, Reno, Nev., having entered an appearance as claimant for the property, decree of the court was entered adjudging that the Government had established the allegations of the libel, 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 $2,500, in conformity with section 10 of the act, conditioned in part that the said product be reconditioned so as to comply with the requirements of the said act.

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

11319. Adulteration and misbranding of butter. U. S. v. 11 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17188. I. S. No. 8113–v. S. No. W–1288.)

On January 18, 1923, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and thereafter an amended libel, praying the seizure and condemnation of 11 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging