12907. Adulteration and misbranding of canned crushed pineapple. U. S. v. Griffith-Durney Co., a Corporation. Plea of guilty. Fine, $25. (F. & D. No. 17946. I. S. No. 158-v.)

On March 7, 1924, 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 an information against the Griffith-Durney Co., a corporation, San Francisco, Calif., alleging shipment by said company, in violation of the food and drugs act, on or about September 11, 1922, from the State of California into the State of New York, of a quantity of canned crushed pineapple which was adulterated and misbranded. The cans were unlabeled and the cases were labeled, "Hawaiian Crushed Pineapple."

Examination of the article by the Bureau of Chemistry of this department showed that it consisted essentially of shredded pineapple core, together with some trimmings.

Adulteration of the article was alleged in the information for the reason that crushed pineapple cores had been substituted in whole or in part for crushed pineapple, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Crushed Pineapple," borne on the cases enclosing the cans containing the article, was false and misleading, in that the said statement represented that the article consisted wholly of crushed pineapple, excluding cores, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of crushed pineapple, excluding cores, whereas it did not so consist but did consist in whole or in part of crushed pineapple cores.

On December 5, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $25.

W. M. JARDINE, *Secretary of Agriculture.*

12908. Misbranding of corn meal. U. S. v. 175 Sacks of Corn Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18900. I. S. No. 16512-v. S. No. E.-4956.)

On August 7, 1924, the United States attorney for the Southern District of Florida, 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 175 sacks of corn meal, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Juliette Milling Co., from Macon, Ga., on or about July 17, 1924, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Sack) "Juliette Meal 100 Lbs. When Packed * * * Juliette Milling Co., Macon, Ga."

Misbranding of the article was alleged in the libel for the reason that the statement "100 Lbs. When Packed" was false and misleading and deceived and misled the purchaser, and for the further 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 August 29, 1924, the Juliette Milling Co., Macon, Ga., claimant, having admitted the allegations of the libel and having 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 $900, in conformity with section 10 of the act, conditioned in part that the sacks be relabeled or refilled so that the said labels should correctly describe the product.

W. M. JARDINE, *Secretary of Agriculture.*

12909. Adulteration of shell eggs. U. S. v. William W. Lomenack (Gilmer Produce Co.). Plea of guilty. Fine, $10. (F. & D. No. 18097. I. S. Nos. 5952-v, 5955-v, 5960-v.)

On March 12, 1924, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William W. Lomenack, trading as the Gilmer Produce Co., Gilmer, Texas, alleging shipment by said defendant, in violation of the food and drugs act, in various consignments, namely, on or about June 30, July 2 and 3, 1923, respectively, from the State of Texas into the State of Louisiana, of quantities