contents was not plainly and conspicuously marked on the outside of the package.

On January 13, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $50.

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

14471. Adulteration and misbranding of canned oysters. U. S. v. 87 Cases of Canned Oysters. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20049. I. S. No. 9592-v. S. No. C-4720.)

On April 30, 1925, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel and on June 26, 1925, an amended libel praying seizure and condemnation of 87 cases of canned oysters, remaining in the original cans, at Dallas, Tex., alleging that the article had been shipped by the Marine Products Co., from Biloxi, Miss., on or about March 11, 1925, and transported from the State of Mississippi into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Cocktail Brand Oysters Contents 5 Ozs. Oyster Meat Packed By Biloxi Fishermen's Packing Co. Of Biloxi, Miss."

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

Misbranding was alleged for the reason that the statement "Contents 5 Ozs." 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, in that the said cans did not contain 5 ounces of the product.

On May 10, 1926, 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.

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

14472. Adulteration and misbranding of rice bran. U. S. v. 200 Sacks and 159 Sacks of Rice Bran. Decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21151, 21154. I. S. No. 7444-x. S. Nos. E-5741, E-5746.)

On June 24 and 28, 1926, the United States attorney for the Northern District of Georgia, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 359 sacks of rice bran, remaining in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped by the Leona Rice Mill, from New Orleans, La., in part on or about March 20, 1926, and in part on or about March 26, 1926, and transported from the State of Louisiana into the State of Georgia, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "100 Pounds Net Leona Rice Mill New Orleans, La. Rice Bran Guaranteed Analysis Protein 11.00 Per Cent. Fat 13.00 Per Cent. Fibre 9.97 Per Cent."

Adulteration of the article was alleged in the libels for the reason that a substance containing excessive rice hulls, deficient in protein and fat, and containing excessive fiber, had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted in part for rice bran, which the said article purported to be.

Misbranding was alleged for the reason that the statements, borne on the label, "100 Pounds Net" and "Rice Bran Guaranteed Analysis Protein 11.00 Per Cent Fat 13.00 Per Cent," were false and misleading and deceived and misled the purchaser, in that the sacks did not contain 100 pounds net weight, and the product did not contain 11 per cent of protein and did not contain 13 per cent of fat, but was deficient in protein and fat, and contained more than 9.97 per cent of fiber. 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, in that the statement "100 Pounds Net," borne on the label, was not correct.

On July 20, 1926, the cases having been consolidated into one cause of action and the Leona Rice Mills, New Orleans, La., having appeared as claimant for the property and having admitted the allegations of the libels, judgment of