12371. Adulteration of shell eggs. U. S. v. Adolphus V. Britton (Fletcher Mercantile Co.). Plea of guilty. Fine, $50 and costs. (F. & D. No. 17926. I. S. No. 6935–v.)

On January 8, 1924, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Adolphus V. Britton, trading as the Fletcher Mercantile Co., Fletcher, Okla., alleging shipment by said defendant, in violation of the food and drugs act, on or about August 5, 1923, from the State of Oklahoma into the State of Texas, of a quantity of shell eggs which were adulterated. The article was labeled in part: "Fletcher Mercantile Company Fletcher, Oklahoma."

Examination by the Bureau of Chemistry of this department of the 1,080 eggs in the consignment showed that 373, or 34.5 per cent of those examined, were inedible eggs, consisting of mixed or white rots, spot rots, and heavy blood rings.

Adulteration of the article was alleged in the information for the reason that the article consisted in whole or in part of a filthy and putrid and decomposed animal substance.

On February 19, 1924, the defendant entered a plea of guilty to the information, and the court imposed a fine of $50 and costs.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12372. Misbranding of mustard salad dressing. U. S. v. 233 Cases of Mustard Saladressing. Decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 18623. I. S. No. 16006–v. S. No. E–4824.)

On April 28, 1924, the United States attorney for the Eastern District of Pennsylvania, 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 233 cases of mustard salad dressing remaining in the original unbroken packages at Philadelphia, Pa., consigned by Charles Gulden (Inc.), New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about November 28, 1923, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act.

Misbranding of the article was alleged in substance in the libel for the reason that the labels on the jars containing the said article bore the following statements, "Gulden's Mustard Saladressing With Currie Charles Gulden Inc. New York Net Weight 10 Oz. Avd.," which statements were false and misleading in that they represented that the said jars contained 10 ounces net weight of the said article, when in fact they did not.

On May 26, 1924, Gulden & Co., New York, N. Y., having appeared as claimant for the property, 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 $600, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12373. Adulteration of canned salmon. U. S. v. 100 Cases and 175 Cases of Salmon. Default decrees of condemnation, forfeiture, and destruction. (F. & D No. 17875. I. S. Nos. 4630–v, 4631–v. S. No. C–4233.)

On October 26, 1923, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 275 cases of salmon remaining unsold in the original packages in part at Humboldt, Tenn., and in part at Jackson, Tenn., alleging that the article had been shipped by the Sanitary Fish Co. from Anacortes, Wash., on or about August 28, 1923, and transported from the State of Washington into the State of Tennessee, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Double "Q." * * * Select Pink Salmon."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.