upon payment of costs and the execution of a bond in the sum of $525, conditioned in part that it be reworked and reprocessed so that it comply with the requirements of the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16663. Adulteration and misbranding of tomato catsup. U. S. v. W. M. Harris & Sons Co. Plea of guilty. Fine, $10. (F. & D. No. 22589. I. S. No. 20239-x.)

On December 28, 1928, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against W. M. Harris & Sons Co., a corporation, Wyoming, Del., alleging shipment by said company, in violation of the food and drugs act, on or about February 16, 1928, from the State of Delaware into the State of Pennsylvania, of a quantity of tomato catsup which was adulterated and misbranded. The article was labeled in part: "Harris Star Brand Catsup * * * Packed by W. M. Harris & Sons Co. Wyoming, Del."

It was alleged in the information that the article was adulterated in that tomato catsup containing an undeclared coloring substance had been substituted for tomato catsup, which is normally prepared without the incorporation of added color and which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Catsup," borne on the label, was false and misleading in that the said statement represented that the article was composed of catsup, to wit, tomato catsup, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was composed solely of catsup, to wit, tomato catsup, whereas it was not, but was in part composed of and contained an undeclared coloring substance, to wit, cochineal.

On December 28, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $10.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16664. Misbranding of beef scrap. U. S. v. 30 Bags of Beef Scrap. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23779. I. S. No. 07965. S. No. 1985.)

On May 23, 1929, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 30 bags of beef scrap, remaining in the original unbroken packages at Flemington, N. J., alleging that the article had been shipped by the Animal Rendering Co., from Philadelphia, Pa., on or about May 4, 1929, and transported from the State of Pennsylvania into the State of New Jersey, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "55% Protein Beef Scrap Guaranteed Analysis Min. Protein 55% * * * Manufactured by Animal Rendering Co., Philadelphia, Pa."

It was alleged in the libel that the article was misbranded in that the statements on the label, "55% Protein Beef Scrap Guaranteed Analysis Min. Protein 55%," were false and misleading and deceived and misled the purchaser.

On July 15, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16665. Adulteration and misbranding of sauerkraut. U. S. v. 23 Cases of Sauerkraut. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21063. I. S. No. 8182-x. S. No. E-5760.)

On May 10, 1926, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 cases of sauerkraut at Hoboken, N. J., alleging that the article had been shipped by F. B. Huxley & Son, Ontario, N. Y., on or about February 25, 1926, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Navarre Brand Sauerkraut * * * Packed for A. Goldstein & Co., Hoboken, N. J."

It was alleged in the libel that the article was adulterated in that a substance deficient in acidity had been mixed and packed therewith so as to reduce,