

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy animal substance, and in that it consisted in part of a decomposed substance.

On March 19, 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.*

16339. Adulteration of dressed chickens. U. S. v. 1 Barrel of Dressed Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23049. I. S. No. 01944. S. No. 1139.)

On September 5, 1928, the United States attorney for the Northern District of Illinois, 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 1 barrel of dressed chickens at Chicago, Ill., alleging that the article had been shipped by G. A. Cohenour, from Clinton, Mo., July 27, 1928, and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed and filthy animal substance and in that it consisted in part of a portion of an animal unfit for food.

On March 19, 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.*

16340. Adulteration of walnut meats. U. S. v. 5 Cases, et al., of Walnut Meats. Decrees entered ordering product released under bond. (F. & D. Nos. 23477, 23507, 23520, 23628, 23629. I. S. Nos. 0530, 0545, 0546, 014430, 014433. S. Nos. 1694, 1738, 1760, 1867, 1868.)

On February 26, March 8, March 13, and April 17, 1929, respectively, the United States attorney for the District of Utah, 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 15 cases and 30 cartons of walnut meats, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the Southern California Supply Co., from Los Angeles, Calif., in various consignments, on or about February 2, February 5, February 15, February 19, and February 25, 1929, respectively, and transported from the State of California into the State of Utah, and charging adulteration in violation of the food and drugs act. The cases were labeled in part: "Invincible (or "Invincible Brand") Distributed by the Southern California Supply Co., Inc. (or "Southern California Supply Company in") Los Angeles, Calif. Shelled California Walnuts." The cartons were labeled in part: "Southern California Supply Co."

It was alleged in the libels that the article was adulterated in that it consisted wholly or in part of a filthy and putrid vegetable substance, with respect to a portion of the product, and of a filthy, decomposed, and putrid vegetable substance, with respect to the remainder thereof.

On May 6, 1929, the Southern California Supply Co., Los Angeles, Calif., claimant, having admitted the allegations of the libels, and having paid costs and filed bonds totaling \$1,775, it was ordered by the court that the product be released to the said claimant to be salvaged and sorted under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16341. Misbranding of beef scrap. U. S. v. 15 Bags of Beef Scrap. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23556. I. S. No. 012407. S. No. 1804.)

On March 23, 1929, the United States attorney for the District of Maryland, 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 15 bags of beef scrap, remaining in the original unbroken packages at Hyattsville, Md., alleging that the article had been shipped by Herbert Bryant's Son, from Alexandria, Va., on or about February 27, 1929, and transported from the State of Virginia into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Beef Scrap Guaranteed Analysis Protein 50.00% * * * Manufactured by Herbert Bryant's Son, Alexandria, Va."

It was alleged in the libel that the article was misbranded in that the statement "Guaranteed Analysis Protein 50.00%" was false and misleading and deceived and misled the purchaser.

On April 2, 1929, Herbert Bryant's Son, Alexandria, Va., 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 costs and the execution of a bond in the sum of \$150, conditioned in part that it should not be sold or disposed of until relabeled to show its true protein content.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16342. Adulteration of oysters. U. S. v. Joseph L. McCready (J. L. McCready & Co.). Plea of guilty. Fine, \$40. (F. & D. No. 23727. I. S. Nos. 02629, 02632.)

On or about April 12, 1929, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph L. McCready, trading as J. L. McCready & Co., Baltimore, Md., alleging shipment by said defendant, in violation of the food and drugs act, on or about November 21, 1928, from the State of Maryland into the State of Pennsylvania, of quantities of oysters which were adulterated. The article was labeled in part: "Navy Brand Baltimore Oysters J. L. McCready & Co."

It was alleged in the information that the article was adulterated in that a substance, to wit, water, had been substituted in part for oysters, and in that an excessive amount of water had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength.

On May 6, 1929, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$40.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16343. Adulteration and misbranding of sugar corn, sweet corn, and Country Gentleman corn. U. S. v. Carroon & Co. Plea of guilty. Fine, \$400. (F. & D. No. 22576. I. S. Nos. 8525-x, 15837-x, 15978-x, 15979-x, 19826-x, 19827-x, 19828-x, 21525-x.)

On October 10, 1928, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Carroon & Co., a corporation, Fowler, Ind., alleging shipment by said company, in violation of the food and drugs act, in various consignments, between the dates of October 12, 1927, and November 30, 1927, from the State of Indiana into the States of Kentucky, Ohio, Illinois, and New Jersey, respectively, of quantities of canned sugar corn, canned sweet corn, and canned Country Gentleman corn, which were adulterated and misbranded. The articles were labeled in part, variously: "Recall Country Gentleman Sugar Corn * * * Carroon & Co., Fowler, Ind.;" "Our Aim Fancy Country Gentleman Sugar Corn * * * Carroon & Co. Fowler, Ind.;" "Kosciuszko Brand Sweet Corn;" "Empire's Hawthorn Brand Sweet Corn;" "Idyl Brand Country Gentleman Corn;" "Carroon's Fancy Country Gentleman Sugar Corn * * * Packed by Carroon & Co. Inc., Fowler, Ind.;" "Basket Ball Brand Country Gentleman Sugar Corn * * * Packed by Carroon & Co. Inc., Fowler, Ind."

It was alleged in the information that the articles were adulterated in that a substance, to wit, field corn, had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength, and had been substituted in part for the said articles. Adulteration was alleged for the further reason that the articles were products inferior to sugar corn, sweet corn, or Country Gentleman corn, as the case might be, to wit, mixtures composed in part of field corn, and were mixed in a manner whereby their inferiority was concealed.

Misbranding was alleged for the reason that the statements to wit, "Country Gentleman Sugar Corn," "Fancy Country Gentleman Sugar Corn," "Sweet Corn," "Country Gentleman Corn," borne on the labels of the respective articles, were false and misleading in that the said statements represented that the articles consisted wholly of fine quality sugar corn, sweet corn, or of Country Gentleman corn, i. e., a variety of sweet corn, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they consisted of fine quality sugar corn, or sweet corn, or of Country Gentleman corn, whereas they did not, but did consist in large part of field corn. Misbranding was alleged for the further reason that the articles