17227. Adulteration of scallops. U. S. v. 25 Gallons of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24667. I. S. No. 028624. S. No. 2552.)

On November 22, 1929, the United States attorney for the Eastern District of New York, 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 25 gallons of scallops, remaining in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by the Wallace M. Quinn Co., from New Bedford, Mass., on or about November 21, 1929, and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance, water, had been mixed and packed with and substituted in part for scallops.

On March 26, 1930, 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.*

17228. Adulteration of canned frozen eggs. U. S. v. 899 Cans of Frozen Whole Eggs. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24398. I. S. No. 017361. S. No. 2649.)

On December 24, 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 899 cans of frozen whole eggs, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the North American Creameries (Inc.), from Paynesville, Minn., on or about October 30, 1929, and transported from the State of Minnesota into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Tag) "North American Creameries Incorporated Whole Eggs;" (can) "Purity Frozen Eggs * * * Anglo American Provision Co. Distributors, Chicago."

It was alleged in the libel that the article was adulterated in that it consisted in part of a putrid animal substance.

On December 26, 1929, Miles Friedman (Inc.), Chicago, Ill., 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 $1,000, conditioned in part that it should not be sold or disposed of contrary to the Federal food and drugs act or the laws of State, Territory, District, or insular possession of the United States.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17229. Adulteration and misbranding of cheese. U. S. v. 2 Boxes of Longhorns Cheese, et al. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 23495. I. S. Nos. 05186, 05187. S. No. 1731.)

On March 20, 1929, 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 a libel praying seizure and condemnation of 2 boxes of longhorn cheese, and 2 boxes containing tins of cheese, remaining in the original unbroken packages at South Bend, Ind., alleging that the article had been shipped by H. H. Solie, from Stetsonville, Wis., on or about January 29, 1929, and transported from the State of Wisconsin into the State of Indiana, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Colby Style Full Cream American Cheese."

Adulteration was alleged for the reason that moisture and water in excessive amounts had been mixed and packed with and substituted in part for the proper solids of the said cheese. Adulteration was alleged for the further reason that milk fat, a valuable constituent, had been in part abstracted from the said article.

It was alleged in substance in the libel that the article was misbranded in that the statements on the label, "Colby Style Full Cream American Cheese," were false and misleading and deceived and misled the purchaser as to the quality of the said cheese, since it was not full cream cheese.

At the February term, 1930, of said court, 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 sold by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*