

charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Garden Spinach * * * Contents 1 lb. 4 oz.; W. N. Clark Co., * * * Rochester, N. Y."

It was alleged in the libel that the article was misbranded in that the statement on the can label, "Contents 1 lb. 4 oz.," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package, since the statement was not correct.

On June 6, 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.*

17284. Misbranding of linseed meal. U. S. v. 131 Bags of Linseed Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24732. I. S. Nos. 028306, 028329. S. No. 3079.)

On April 24, 1930, 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 131 bags of linseed meal, remaining in the original unbroken packages at Millville, N. J., alleging that the article had been shipped by the Consolidated By-Product Co., Philadelphia, Pa., in part on or about March 20, 1930, and in part on or about April 11, 1930, and had been 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: "Linseed Meal Guaranteed Analysis Protein 34% Min * * * Manufactured by Consolidated By-Product Co."

It was alleged in the libel that the article was misbranded in that the statement "Guaranteed Analysis Protein 34% Min," borne on the tags attached to the sacks containing the article, was false and misleading and deceived and misled the purchaser when applied to an article containing a less amount of protein.

On May 29, 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.*

17285. Adulteration of shell eggs. U. S. v. 10 Cases of Shell Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24805. I. S. No. 028265. S. No. 3052.)

On March 31, 1930, 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 seizure and condemnation of 10 cases of shell eggs, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Riverside Poultry Farm, and alleging that the article had been shipped from Grottoes, Va., on or about March 28, 1930, and transported from the State of Virginia into the State of Pennsylvania, 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 whole or in part of a filthy, decomposed, or putrid animal substance.

On April 19, 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.*

17286. Adulteration of shell eggs. U. S. v. 5 Crates, et al., of Shell Eggs. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 24797, 24803. I. S. Nos. 028177, 028266. S. Nos. 3063, 3058.)

On April 1, 1930 and April 5, 1930, respectively, the United States attorney for the Eastern District of Pennsylvania, 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 5 crates and 5 cases of shell eggs, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Elgrove Farms, alleging that the article had been shipped in part from Newfield, N. J., on or about April 3, 1930, and in part from Vineland, N. J., on or about March 31, 1930, and transported from the State of New Jersey into the