

Adulteration of the article was alleged in the libel for the reason that a substance, excessive water, had been substituted wholly or in part for the said article and had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the label bore a statement regarding the article and the ingredients or substances contained therein, as follows, "White Distilled Vinegar 60 Gr.," which statement was false and misleading and deceived and misled the purchaser, since the said article was not white vinegar of the designated strength but had been diluted with excessive water.

On May 19, 1923, no claimant having appeared for the property, and a jury having been impaneled and a verdict having been returned for the Government, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

**11553. Adulteration and misbranding of canned oysters. U. S. v. 24 Cases of Oysters in Tins. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16691. I. S. No. 3054-v. S. No. E-4091.)

On or about August 3, 1922, the United States attorney for the Eastern District of South Carolina, 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 24 cases of oysters in tins, remaining in the original unbroken packages at Mullins, S. C., alleging that the article had been shipped by the Hilton Head Packing Co., from Savannah, Ga., on or about June 29, 1922, and transported from the State of Georgia into the State of South Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Hilton Head Brand \* \* \* Contains 5 Oz. Oyster Meat Oysters \* \* \* Packed By Hilton Head Packing Co. Office: Savannah, Ga."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive brine, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the labels of the tins containing the article bore statements regarding the said article, to wit, "Contain 5 Oz. Oyster Meat Oysters" and "5 Oz. \* \* \* Oysters," together with a design showing an open oyster, which were false and misleading and deceived and misled the purchaser, since the said article had been diluted with excessive brine and the said tins did not contain 5 ounces of oyster meat. Misbranding was alleged for the further reason that the article was an imitation of and offered [for sale] under the distinctive name of another article, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 19, 1923, no claimant having appeared for the property, and a jury having been impaneled and a verdict having been returned for the Government, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

**11554. Adulteration of shell eggs. U. S. v. 8 Cases of Shell Eggs. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16741. I. S. No. 52-v. S. No. E-4081.)

On July 21, 1922, 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 the seizure and condemnation of 8 cases of shell eggs at Newark, N. J., alleging that the article had been shipped by Jarrell Bros., Inc., Mount Airy, N. C., in two consignments, namely, on or about July 17 and 19, 1922, respectively, and transported from the State of North Carolina into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of decomposed eggs.

On June 28, 1923, 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.

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