11640. Adulteration of shell eggs. U. S. v. Tucker Mercantile Co., a Corporation. Plea of guilty. Fine, $100 and costs. (F. & D. No. 11346. I. S. Nos. 7536-r, 7537-r, 7539-r.)

On December 15, 1919, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Tucker Mercantile Co., a corporation, Knox City, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, in various consignments, namely, on or about July 5, 7, and 14, 1919, respectively, from the State of Texas into the State of Oklahoma, of quantities of shell eggs which were adulterated. The article was labeled in part: "From Tucker Mercantile Co., Knox City, Texas."

Examination by the Bureau of Chemistry of this department of 360 eggs from each of the consignments showed that 70, 28, and 180, respectively, or 19.44, 7.77, and 50 per cent, respectively, of those examined, were inedible eggs, consisting of black rots, mixed or white rots, moldy eggs, spot rots, and blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 2, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $100 and costs.

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

11641. Adulteration of coal-tar color. U. S. v. 2 Cans of Red Coal-Tar Color. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14630. I. S. Nos. 2330-t, 2331-t. S. No. E-3176.)

On March 15, 1921, the United States attorney for the Western 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 the seizure and condemnation of 2 cans of red coal-tar color at Carnegie, Pa., alleging that the article had been shipped by the W. B. Wood Mfg. Co., from St. Louis, Mo., on or about February 25, 1921, and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "2 Lbs. Net Manufacturing Chemists W. B. Wood Mfg. Co. The House of Quality St. Louis, Mo. Importers Of Colors Complies With All Requirements Warranted Quality Color Buy The Original Buy Them From The Importer Number 112" (or "Number 10") "Contents Red."

Adulteration of the article was alleged in the libel for the reason that sodium sulphate and sodium chlorid had been mixed and packed with and substituted fully or in part for the said article. Adulteration was alleged for the further reason that it contained an added poisonous or deleterious ingredient, arsenic, which might render it injurious to health.

On June 26, 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.*

11642. Misbranding of ox feed. U. S. v. James Byron Tutt (J. B. Tutt Grain Co.). Plea of nolo contendere. Fine, $25. (F. & D. No. 14747. I. S. No. 10531-r.)

On September 19, 1921, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James Byron Tutt, trading as J. B. Tutt Grain Co., Meridian, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 11, 1920, from the State of Mississippi into the State of Alabama, of a quantity of ox feed which was misbranded. The article was labeled in part: "100 Pounds 'Oxlife' Cow And Ox Feed Manufactured By J. B. Tutt Grain Company Meridian, Mississippi Guaranteed Analysis Crude Fat 2.00 3.00 per cent. Protein 9.00 10.00 per cent. * * * Crude Fibre, not over 26.00 30.84 per cent."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 1.47 per cent of ether extract (crude fat), 8.63 per cent of crude protein, and 35.13 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Guaranteed Analysis Crude Fat 2.00 * * * per cent. Protein 9.00 * * * per cent. * * * Crude Fibre, not over