

**10299. Adulteration of scallops. U. S. \* \* \* v. 300 Gallons of Scallops \* \* \*. Decree entered ordering the release of the product under bond.** (F. & D. No. 15865. S. No. E-3750.)

On December 27, 1921, 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 for the seizure and condemnation of 300 gallons of scallops, remaining in the original unbroken packages at Baltimore, Md., consigned on or about December 12, 1921, alleging that the article had been shipped by Wallace M. Quinn, Morehead City, N. C., and transported from the State of North Carolina into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the said article, to wit, scallop solids, had been wholly or in part abstracted therefrom.

On February 7, 1922, the Wallace M. Quinn Co., Morehead City, N. C., claimant, having admitted the material allegations of the libel, judgment of the court was entered ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**10300. Adulteration of canned evaporated milk. U. S. \* \* \* v. 23 Cases of Canned Evaporated Milk. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11641. I. S. No. 15945-r. S. No. E-1866.)

On November 26, 1919, 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 for the seizure and condemnation of 23 cases of canned evaporated milk, at Wildwood, N. J., alleging that the article had been shipped by the Kennedy Creamery Co., Philadelphia, Pa., on or about November 7, 1919, and transported from the State of Pennsylvania into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, (cases) "Kennedy Creamery Co., \* \* \*"

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

On July 11, 1921, 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*