

contain 1 full half gallon; and for the further reason that it was food in package form, and the contents of the packages was not plainly and conspicuously marked on the outside of the packages in terms of weight, measure, or numerical count.

On December 11, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

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

**6926. Adulteration of eggs. U. S. \* \* \* v. 10 Cases of Eggs. Default decree of condemnation and forfeiture. Good portion ordered sold. Unfit portion ordered destroyed.** (F. & D. No. 9419. I. S. Nos. 5663-r, 5664-r. S. No. C-974.)

On August 29, 1918, the United States attorney for the District of Minnesota, 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 10 cases, each containing 30 dozen eggs, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on August 9, 1918, and August 13, 1918, by C. A. Victora, Scranton, N. D., and transported from the State of North Dakota into the State of Minnesota, 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 a decomposed substance.

On October 11, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, it having been theretofore ordered by the court that the edible portion of the eggs should be sold, and the inedible portion destroyed by the United States marshal.

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

**6927. Adulteration and misbranding of saccharin. U. S. \* \* \* v. 1 Can of Alleged Saccharin. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 9421. I. S. No. 6270-r. S. No. C-1005)

On or about November 4, 1918, the United States attorney for the Eastern District of Texas, 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 1 can, containing 5 pounds of alleged saccharin, remaining unsold in the original unbroken package at Whitesboro, Tex., alleging that the article had been shipped on or about August 16, 1918, by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Saccharin \* \* \* W. B. Wood Mfg. Co."

Adulteration of the article was alleged in the libel for the reason that it consisted of saccharin and 47.6 per cent of sugar product, and was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, and in that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the statement, to wit, "Saccharin," was false and misleading, and in that it was an imitation of, and was offered for sale under the name of, another article, to wit, saccharin.

On February 11, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

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

**6928. Adulteration of shell eggs. U. S. \* \* \* v. 129 Cases of Shell Eggs. Decree of condemnation and forfeiture. Unfit portion ordered destroyed. Good portion ordered released.** (F. & D. No. 9423. I. S. No. 6309-r. S. No. C-1000.)

On October 14, 1918, the United States attorney for the Northern District of Illinois, 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 129 cases, each containing 30 dozen shell eggs, at Chicago, Ill., alleging that the article had been shipped on September 30, 1918, by the Northern Produce Co., Aberdeen, S. D., and transported from the State of South Dakota into the State of Illinois, 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 part of a decomposed animal substance, and for the further reason that it consisted in part of a filthy animal substance.

On October 29, 1918, the matter coming on to be heard upon the motion of John R. Tyler, doing business as John R. Tyler & Co., Chicago, Ill., claimant for the proceeds of the sale of a portion of the product, judgment of condemnation and forfeiture was entered, it having theretofore been ordered by the court that the product should be separated under the supervision of a representative of this department and that the portion unfit for human food should be destroyed, and the portion fit for human food should be sold, and it was ordered by the court that the proceeds of the sale of the edible portion of the eggs, less court costs and necessary expenses, be delivered to said claimant.

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

**6929. Adulteration and misbranding of catsup. U. S. \* \* \* v. 1,246 Cases of Tomato Catsup. Tried to the court and a jury. Verdict for the Government. Decree of condemnation and forfeiture. Product ordered released on bond for destruction.** (F. & D. No. 9834. I. S. No. 6711-r. S. No. C-1070.)

On March 7, 1919, the United States attorney for the Northern District of Illinois, 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 1,246 cases, each containing 3 dozen bottles of tomato catsup, at Chicago, Ill., alleging that the article had been shipped on October 18, 1918, by the Sterling Products Co., Evansville, Ind., and transported from the State of Indiana into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Fancy Whole Tomato Catsup."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

Misbranding of the article was alleged in substance in the libel for the reason that the statement borne on the label of the cases, to wit, "\* \* \* Fancy Whole Tomato Catsup," was false and misleading in that it represented to the purchasers that the catsup was made from sound whole tomatoes, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the catsup was made from sound whole tomatoes,