

on or about January 21, 1919, by the Sutherland Fruit Co., Riverside, Calif., and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Native Brand Packed by Sutherland Fruit Co., California."

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

On February 13, 1919, the said Sutherland Fruit Co., claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings, and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL,

*Acting Secretary of Agriculture.*

**7112. Adulteration of oranges: U. S. \* \* \* v. 462 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9711. I. S. No. 2245-r. S. No. C-1066.)**

On January 31, 1919, the United States attorney for the Western District of Missouri, 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 462 boxes of oranges, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about January 22, 1919, by the Sutherland Fruit Co., Riverside, Calif., and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Songster Brand Packed by Sutherland Fruit Co. California."

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

On February 13, 1919, the said Sutherland Fruit Co., claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL,

*Acting Secretary of Agriculture.*

**7113. Adulteration of eggs: U. S. \* \* \* v. Albert Kelso de Wolf. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9726. I. S. No. 5554-r.)**

On May 21, 1919, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Albert Kelso de Wolf, Winner, S. Dak., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 6, 1918, from the State of South Dakota into the State of Nebraska, of a quantity of eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 15 cases there were 476 inedible eggs, or 8.8 per cent.

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 June 26, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL,  
*Acting Secretary of Agriculture.*

**7114. Misbranding of Phoenix The Ideal Shortening. U. S. \* \* \* v. Phoenix Cotton Oil Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9728. I. S. Nos. 3621-p, 7139-p.)**

On May 1, 1919, the United States attorney for the Western District of Tennessee, 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 Phoenix Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 20, 1918, from the State of Tennessee into the State of Georgia, of a quantity of an article, labeled in part "Phoenix \* \* \* The Ideal Shortening," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that 9 tubs of one lot had an average net weight of 56.05 pounds, and 10 tubs of a second lot had an average net weight of 53.74 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Weight 60 lbs.," borne on the tubs containing the article, regarding it, was false and misleading in that it represented that each of said tubs contained 60 pounds net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said tubs contained 60 pounds net of the article, whereas, in truth and in fact, each of said tubs did not, but contained a less amount. Misbranding of the article was alleged 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 June 20, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL,  
*Acting Secretary of Agriculture.*

**7115. Adulteration of shell eggs. U. S. \* \* \* v. George C. Maryott. Plea of guilty. Fine, \$5. (F. & D. No. 9731. I. S. No. 5659-r.)**

On April 30, 1919, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George C. Maryott, Macy, Nebr., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 15, 1918, from the State of Nebraska into the State of Iowa, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 3 half-cases there were 55 inedible eggs, or 10.2 per cent.

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 May 6, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL,  
*Acting Secretary of Agriculture.*