

apple), was false and misleading and deceived and misled the purchaser, for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article, and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 28, 1921, the Naas Cider & Vinegar Co., Cohocton, N. Y., claimant, having admitted the material allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,200, in conformity with section 10 of the act.

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

9325. Adulteration of eggs. U. S. * * * v. 414 Cases of Eggs. Good portion of product released under bond. Judgment of condemnation, forfeiture, and destruction with reference to bad portion. (F. & D. No. 14002. I. S. No. 4143-t. S. No. C-2596.)

On November 12, 1920, 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 414 cases of eggs, at Chicago, Ill., alleging that the article had been shipped by the Bronx Refrigerating Co., New York, N. Y., on November 3, 1920, and transported from the State of New York into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

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

On November 26, 1920, Anthony M. Fox, John L. Fox, Joseph J. Fox, Frank G. Fox, Michael E. Fox, William J. Fox, Bert E. Fox, Peter Fox, Jr., and Robert J. Fox, trading as Peter Fox & Sons Co., Chicago, Ill., having entered an appearance as claimants of the property, and the product having been inspected and candled under the supervision of this department, it was ordered by the court that upon 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, the good portion of the product should be released to said claimants and the bad portion should be destroyed.

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

9326. Adulteration of eggs. U. S. * * * v. 440 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14085. I. S. No. 1991-t. S. No. C-2598.)

On November 20, 1920, 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 440 cases of eggs, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Jackson Dairy Co., Marshalltown, Iowa, on May 1, 1920, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

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

On November 27, 1920, Randack & Co., 730 West Randolph St., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon 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, conditioned in part that the product be sorted under the supervision of this department and the bad portion destroyed.

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