

Adulteration of the article was alleged in the libel for the reason that excessive moisture had been mixed and packed with, and substituted wholly or in part for, the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, butter fat, had been in part abstracted.

Misbranding was alleged in substance for the reason that the statement appearing in the labeling, to wit, "Butter," was false and misleading and deceived and misled the purchaser.

On April 13, 1922, James W. Crook, Baltimore, Md., claimant, having admitted the allegation of the libel with respect to the charge of adulteration, 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 \$2,000, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10379. Adulteration of oranges. U. S. * * * v. 431 Boxes * * * of Oranges. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16123. I. S. No. 18661-t. S. No. C-3511.)

On or about April 7, 1922, 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 431 boxes of oranges, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Riverside Heights Orange Growers Assoc., Riverside, Calif., March 28, 1922, and transported from the State of California into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, respectively: "Pepper Leaf Navels Riverside Heights Orange Growers Association, Riverside, California" and "Cal'flora Brand * * *."

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

On April 14, 1922, the California Fruit Growers Exchange, 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, said bond to be conditioned in part that the product be sorted under the supervision of this department, the portion unfit for human food to be destroyed by the United States marshal and the portion fit for human food to be delivered to the said claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10380. Adulteration of shell eggs. U. S. * * * v. John Schenkenberger. Plea of guilty. Fine, \$25. (F. & D. No. 11960. I. S. No. 6949-r.)

On May 24, 1920, the United States attorney for the District of North 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 John Schenkenberger, Linton, N. D., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 11, 1919, from the State of North Dakota into the State of Minnesota, of a quantity of shell eggs which were adulterated.

Examination of the 1,080 eggs in the consignment, by the Bureau of Chemistry of this department, showed the presence of 315, or 29.16 per cent, inedible eggs, consisting of black rots, mixed or white rots, moldy eggs, spot rots, and heavy blood rings.

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

On April 11, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10381. Adulteration and misbranding of gray shorts. U. S. * * * v. 600 Sacks and 80 Sacks of Alleged Gray Shorts. Default decrees declaring product adulterated and a portion thereof misbranded and ordering its destruction. (F. & D. Nos. 12679, 12928. I. S. Nos. 174-r, 115-r. S. Nos. E-2185, E-2360)

On May 27, 1920, the United States attorney for the Western District of North Carolina, acting upon reports by the Secretary of Agriculture, filed in