

affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the 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 May 23, 1922, A. G. King and G. E. Mattocks, copartners, trading as the Consolidated Flour Mills Co., claimants, 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 claimants 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, conditioned in part that the said product be made to conform with the provisions of the said act, under the supervision of this department.

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

**10968. Adulteration and misbranding of flour. U. S. v. 60 Sacks of Flour. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16535. I. S. No. 21805-t. S. No. W-1129.)

On June 30, 1922, the United States attorney for the Western District of Washington, 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 60 sacks of flour, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Royal Milling Co., Great Falls, Mont., April 28, 1922, and transported from the State of Montana into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Sacks) "Royal Milling Co. Bakers Patent Great Falls, Mont. Bleached 98 Lbs. Regal Flour."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the statement appearing on the labels of the sacks containing the said article, "98 Lbs.," was false and misleading and deceived and misled the purchaser. Misbranding was alleged 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 July 19, 1922, the Royal Milling Co., Great Falls, Mont., claimant, having admitted the 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 \$250, in conformity with section 10 of the act, conditioned in part that the product be reconditioned and properly labeled, under the supervision of this department.

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

**10969. Adulteration and misbranding of canned clams. U. S. v. 300 Cases and 80 Cases of Clams. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 16443, 16444. I. S. Nos. 14413-t, 14414-t, 14416-t. S. Nos. W-1110, W-1111.)

On June 21, 1922, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 300 cases of razor clams and 80 cases of unlabeled clams, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Grays Harbor Fisheries & Packing Co., Bay City, Wash., June 2, 1922, and transported from the State of Washington into the State of California, and charging adulteration and misbranding, with respect to the former, and adulteration, with respect to the latter, in violation of the Food and Drugs Act, as amended. The razor clams were labeled in part: (Can) "Cluff Brand Fresh Minced Razor Clams Contents 7 Oz. Meat Contents 3½ Oz. \* \* \*"

Adulteration was alleged in the libels with respect to both brands of the article for the reason that water or clam juice had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged with respect to the razor clams for the reason that the statement appearing on the cans containing the said article, "Meat Contents 3½ Oz." was false and misleading and deceived and misled the purchaser, and