ther reason that the statements, designs, and devices borne on the said cans purported the said article to be a foreign product when not so.

Misbranding was alleged with respect to the Sico Brand Olive Oil for the reason that the statements, to wit, "1 Quart Net" and "1 Gallon Net," borne on the respective-sized cans containing the article, regarding the said article, were false and misleading in that they represented that each of the said cans contained 1 quart net or 1 gallon net, as the case might be, 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 the said cans contained 1 quart net or 1 gallon net, as the case might be, of the said article, whereas, in truth and in fact, each of said cans did not contain the amount declared on the labels but did contain a less amount.

Misbranding was alleged with respect to the product involved in all the consignments for the 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 March 25, 1924, the defendant entered a plea of guilty to the information, and the court imposed a fine of $170.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12270. Adulteration of tomato stock. U. S. v. 295 Cases, et al., of Tomato Stock. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 18199, 18200, 18238, 18239, 18250, 18251. I. S. Nos. 932-v, 933-v, 934-v, 935-v, 936-v. S. Nos. E-4670, E-4671, E-4675, E-4677, E-4684.)

On January 2, 1924, the United States attorney for the Eastern District of South Carolina, acting upon reports by the Secretary of Agriculture, filed in the district court of the United States for said district libels praying the seizure and condemnation of 1,628 cases of tomato stock remaining in the original unbroken packages in part at Charleston, S. C., and in part at Georgetown, S. C., alleging that the article had been shipped by Greenbaum [Greenabaum] Bros. (Inc.), from Seaford, Del., in part September [October] 8, 1923, and in part September 26, 1923, and transported from the State of Delaware into the State of South Carolina and charging adulteration in violation of the food and drugs act. The article was labeled variously: (Can) "Camp Brand" (or "Roxbury Brand" or "Aurora Brand" or "Roland Brand" or "Johnson Brand") "Tomato Stock * * * Packed By Greenabaum Bros.; Inc. Seaford, Sussex County, Del."

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance and showed the presence of excessive mold.

On April 26, 1924, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12271. Adulteration and misbranding of canned oysters. U. S. v. 8 Cases and 10 Cases of Oysters. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 18244, 18249. I. S. Nos 18116-v, 18117-v. S. Nos. C-4242, C-4243.)

On December 27 and 28, 1923, respectively, the United States attorney for the Eastern District of Tennessee, acting upon reports by the Secretary of Agriculture, filed in the district court of the United States for said district libels praying the seizure and condemnation of 18 cases of oysters, remaining in the original unbroken packages at Knoxville, Tenn., alleging that the article had been shipped by the Meridian Canning Co., Meridian, Ga., on or about November 15, 1923, and transported from the State of Georgia into the State of Tennessee, and charging adulteration and misbranding in violation of the food and drugs act, as amended. The article was labeled in part: "Meridian Brand * * * Oysters Net Contents 5 Ounces Oysters * * * Packed By Meridian Canning Co. Meridian, Ga."

Adulteration of the article was alleged in the libels for the reason that excessive brine had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "Meridian Brand * * * Net Contents 5 Ounces Oysters," appearing in the labelling, was false and misleading and was intended to deceive and mislead the purchaser,