

14280. Misbranding of prunes. U. S. v. the Lamb Fruit Co. Judgment for the Government. Fine, \$100. (F. & D. No. 19717. I. S. No. 4310-x.)

On January 20, 1926, the United States attorney for the District of Oregon, 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 Lamb Fruit Co., a corporation, Milton, Oreg., alleging shipment by said company, in violation of the food and drugs act as amended, on or about August 8, 1925, from the State of Oregon into the State of Missouri, of a quantity of prunes which were misbranded. The article was labeled in part: "Lamb Brand Italian Prunes The Lamb Fruit Company Milton-Freewater, Oregon * * * Net Weight 16 lbs. when packed."

Examination by the Bureau of Chemistry of this department of 78 cases of the article from the shipment showed an average net weight of 14 $\frac{7}{8}$ pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Weight 16 lbs. when packed," borne on the labels attached to the cases containing the said article, was false and misleading, in that the said statement represented that each of said cases contained 16 pounds of prunes when packed, 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 cases contained 16 pounds of prunes when packed, whereas the cases did not each contain 16 pounds of prunes when packed, but did contain in each of a number of said cases less than 16 pounds. 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 April 9, 1926, upon failure of the defendant company to appear, judgment was entered for the Government, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

14281. Adulteration of shell eggs. U. S. v. George S. Beasley. Plea of guilty. Fine, \$25. (F. & D. No. 19317. I. S. No. 18407-v.)

On October 5, 1925, the United States attorney for the Northern District of Mississippi, 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 S. Beasley, Sherman, Miss., alleging shipment by said defendant, in violation of the food and drugs act, on or about July 25, 1924, from the State of Mississippi into the State of Alabama, of a quantity of shell eggs which were adulterated. The article was labeled in part: "From G. S. Beasley * * * Sherman, Mississippi."

Examination by the Bureau of Chemistry of this department of 6 half cases of the article, a total of 1,080 eggs, showed that 126, or 11.66 per cent, were inedible eggs, consisting of mixed rots, spot rots, and 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, decomposed, or putrid animal substance.

On April 6, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

W. M. JARDINE, *Secretary of Agriculture.*

14282. Adulteration and misbranding of canned shrimp. U. S. v. 118 Cases of Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20762. I. S. Nos. 4347-x, 4348-x, 4349-x. S. No. C-4927.)

On January 9, 1926, the United States attorney for the Eastern 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 praying seizure and condemnation of 118 cases of shrimp, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Houma Packing Co., New Orleans, La., on or about August 1, 1921, and transported from the State of Louisiana into the State of Missouri, and charging adulteration in violation of the food and drugs act as amended. Fifty-six cases of the product were labeled in part: (Can) "Rita Brand Shrimp Packed For United Shrimp Co. New Orleans, La." The remainder of the article was labeled in part: (Can) "Robin Wet Shrimp Contents 5 $\frac{3}{4}$ Oz.," or "Marine Fancy Shrimp Wet Pack Contents 5 $\frac{3}{4}$ Oz. Shrimp."