

15503. Adulteration of walnut halves. U. S. v. 200 Cases of Walnut Halves. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22141. I. S. No. 21215-x. S. No. 196.)

On November 10, 1927, the United States attorney for the Southern District of New York, 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 200 cases of walnut halves, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from Bordeaux, France, on or about December 28, 1926, and had been transported from a foreign country into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance, to wit, wormy and decomposed halves.

On December 1, 1927, W. R. Grace & Co., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$5,500, conditioned in part that the nuts be sorted and the unfit portion denatured or destroyed.

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

15504. Adulteration and misbranding of shorts. U. S. v. 1,000 Sacks of Shorts. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21187. I. S. Nos. 4284-x, 4635-x. S. No. C-5196.)

On July 17, 1926, the United States attorney for the Southern District of Mississippi, 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 1,000 sacks of shorts, invoiced by the Hogan Millfeed Co., Kansas City, Mo., remaining in the original unbroken packages at Jackson, Miss., alleging that the article had been shipped from St. Louis, Mo., on or about July 8, 1926, and transported from the State of Missouri into the State of Mississippi, and charging adulteration in violation of the food and drugs act as amended. The article was invoiced "Grey Shorts" and "Shorts."

Adulteration of the article was alleged in the libel for the reason that a substance, a mixture of ground bran, wheat feed, scourings, and screenings, had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, and for the further 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 December 5, 1927, the Gober's Great Eight Milling Co., Jackson, Miss., claimant, having admitted the allegations of the libel, and consented to the entry of a decree, and the product having been taken down under bond conditioned that it be used in the manufacture of other feed, and the terms of said bond having been complied with and costs paid by the claimant, a decree of condemnation and forfeiture was entered by the court, nunc pro tunc, as of July 27, 1926.

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

15505. Adulteration of oysters. U. S. v. Haldeman-Tribbitt-Davidson Oyster Co. Plea of guilty. Fine, \$20. (F. & D. No. 21577. I. S. Nos. 5838-x, 5841-x, 13762-x, 13775-x, 14953-x, 14955-x.)

On July 11, 1927, the United States attorney for the District of Delaware, 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 Haldeman-Tribbitt-Davidson Oyster Co., a corporation, Bowers, Del., alleging shipment by said company, in violation of the food and drugs act, on or about October 13, 16, 20, and 25, 1926, respectively, from the State of Delaware into the State of New York, of quantities of oysters which were adulterated.

It was alleged in the information that the article was adulterated, in that a substance, to wit, water, had been mixed and packed therewith so as to reduce lower, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the said article purported to be.

On November 7, 1927, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20.

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