Charles C. Hine, Cape Charles, Va., alleging shipment by said defendant, in violation of the food and drugs act, on or about February 17, 1927, from the State of Virginia into the State of Maryland, of a quantity of scallops 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 lower, reduce, and injuriously affect its quality, and had been substituted in part for scallops, which the said article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, scallop solids, had been in part abstracted.

On November 8, 1927, the defendant entered a plea of guilty to the information, and the court imposed a fine of $25.

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

15512. Adulteration of scallops. U. S. v. George W. McCready (G. W. McCready). Plea of guilty. Fine, $25. (F. & D. No. 22523. I. S. Nos. 14902–x, 14905–x, 16025–x.)

On October 25, 1927, the United States attorney for the Eastern District of Virginia, 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 W. McCready, trading as G. W. McCready, Oyster, Va., alleging shipment by said defendant, in violation of the food and drugs act, in part on or about February 7, 1927, and in part on or about February 8, 1927, from the State of Virginia into the State of New York, of quantities of scallops which were adulterated. A portion of the article was labeled, in part: (Tag on can) "Scallops From G. W. McCready * * * Oyster, Va."

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 the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, scallop solids, had been abstracted in part therefrom.

On November 16, 1927, the defendant entered a plea of guilty to the information, and the court imposed a fine of $25.

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

15513. Adulteration and alleged misbranding of Essence Grape or Essence Grape Aroma. U. S. v. 32 Gallon Bottles of Essence Grape Aroma, et al. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 18792, 20089, 20125. I. S. Nos. 17895–v, 17896–v, 24816–v, 24817–v, 24820–v. S. Nos. C–4419, C–4737, C–4747.)

On June 19, 1924, May 28, and June 18, 1925, respectively, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 97 gallon bottles and 7 pint bottles of essence grape, and 46 gallon bottles and 9 pint bottles of essence grape aroma, at Chicago, Ill., alleging that the article had been shipped by Fritzsche Bros., Inc., from New York, N. Y., between the dates of February 14, 1924, and May 15, 1925, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Fritzsche Brothers, Inc., New York, Essence Grape Aroma, Extra Concentrated True Fruit 1 Gal. (or "1 Pt.")."

It was alleged in the libels that the article was adulterated, in that an artificially flavored imitation product 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 with respect to a portion of the product for the reason that the statements "Essence Grape * * * True Fruit," borne on the label, were false and misleading and deceived and misled the purchaser.

Misbranding was alleged with respect to the remainder of the said article for the reason that the statements "Essence Grape Aroma Extra Concentrated True Fruit," borne on the label, were false and misleading; for the further reason that the said statements deceived and misled the purchaser, in that the product was not "Essence Grape Aroma Extra Concentrated True Fruit," but was an artificially flavored imitation product; and for the further reason that the