

Western States Grocery Co., Seattle, Wash., on or about October 12, 1929, and transported from the State of Washington into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "J. P. Hynes & Co., San Francisco, Calif."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy and putrid vegetable substance.

On November 14, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

16890. Misbranding of bran. U. S. v. 556 Sacks of Bran. Decree of condemnation. Product released under bond. (F. & D. No. 23188. I. S. No. 012980. S. No. 1255.)

On or about October 5, 1928, the United States attorney for the District of Kansas, acting upon a report by an official of the State of Kansas, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 556 sacks of bran, remaining in the original unbroken packages at Kansas City, Kans., alleging that the article had been shipped in interstate commerce by the Rodney Milling Co., Kansas City, Mo., on or about October 1, 1928, and charging misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was misbranded in that the said sacks contained no mark, brand, or label showing the net weight of the product, or the composition of the contents thereof, or the food value of the same.

On October 11, 1928, the Dixie Milling & Grain Co., Kansas City, Mo., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant for the purpose of being repacked, relabeled, and brought into compliance with the Federal food and drugs act, upon payment of costs of the proceedings and the execution of a good and sufficient bond.

ARTHUR M. HYDE, *Secretary of Agriculture*.

16891. Adulteration of canned frozen whole eggs. U. S. v. 1,875 Cans of Frozen Whole Eggs. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24397. I. S. Nos. 015217, 015218. S. No. 2648.)

On or about December 23, 1929, the United States attorney for the District of Maryland, 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 1,875 cans of frozen whole eggs, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Miles Friedman (Inc.), from Chicago, Ill., on or about December 12, 1929, and transported from the State of Illinois into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Whole Eggs * * * Rothenberg & Schneider Bros. * * * Chicago, Ill."

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 animal substance.

On December 23, 1929, Miles Friedman (Inc.), Chicago, Ill., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant for salvaging, upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it should not be sold or disposed of until brought into conformity with the law.

ARTHUR M. HYDE, *Secretary of Agriculture*.

16892. Adulteration of canned peaches. U. S. v. 528 Cases of Canned Unpeeled Pie Peaches. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24092. I. S. No. 0972. S. No. 2339.)

On September 30, 1929, the United States attorney for the Eastern District of Louisiana, 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 528 cases of canned unpeeled pie peaches, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the W. L. Houser Canning Co., Fort Valley, Ga., on or about July 19, 1929, and transported from the State of Georgia into the State of Louisiana, and charging adulteration in violation of the food and drugs act.

The article was labeled in part: (Case) "Georgia Peaches Oakdale Brand Unpeeled Pies Packed by W. L. Houser Canning Co., Fort Valley, Ga."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal or vegetable substance unfit for food.

On November 4, 1929, the Fraering Brokerage Co. (Inc.), New Orleans, La., having appeared as claimant for the property, and 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 the said claimant upon payment of costs and the execution of a bond in the sum of \$2,500, conditioned in part that it be rendered free from worms and any decomposed or putrid animal or vegetable substance and should not be used, sold, or disposed of without having been inspected by a representative of this department.

ARTHUR M. HYDE, *Secretary of Agriculture*.

16893. Adulteration and misbranding of cheese. U. S. v. 25 Boxes of Cheese. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23814. I. S. No. 04169. S. No. 2025.)

On June 13, 1929, the United States attorney for the District of Maryland, 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 25 boxes of cheese, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by D. W. Whitmore & Co. (Inc.), from New York, N. Y., on or about January 31, 1929, and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "D. W. Whitmore & Co., 14066 New York."

It was alleged in the libel that the article was adulterated in that a substance deficient in fat and containing excessive moisture had been substituted in part for the said article and had been mixed and packed with it so as to reduce and lower its quality and strength.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On or about December 7, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

16894. Adulteration and misbranding of canned frozen eggs. U. S. v. 255 Cans of Frozen Whole Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24176. I. S. No. 024277. S. No. 2417.)

On October 25, 1929, 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 255 cans of frozen whole eggs, consigned August 5, 1929, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Federal Cold Storage Co., from Piqua, Ohio, and transported from the State of Ohio into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance, to wit, decomposed eggs.

Misbranding was alleged for the reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 12, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

16895. Adulteration of vinegar. U. S. v. National Vinegar Co. Plea of nolo contendere. Fine, \$550 and costs. (F. & D. No. 23732. I. S. Nos. 19907-x, 19913-x, 19999-x, 23716-x, 23815-x, 23817-x, 23818-x, 23821-x, 23822-x, 23823-x, 25239-x.)

On September 5, 1929, 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 an information against the National Vinegar Co., a corporation, St. Louis, Mo., alleging shipment by said