

454 Grams \* \* \* Directions \* \* \* a resulting milk product will be obtained which will not be below the legal standard for whole milk \* \* \* the highest possible quality," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and 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 each package.

On January 16, 1923, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11305. Adulteration of eggs. U. S. v. 73 Cases of Eggs. Default entered. Product ordered destroyed.** (F. & D. No. 16877. I. S. No. 5452-v. S. No. C-3821.)

On September 26, 1922, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 73 cases of eggs, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Drake Farmers Store, Drake, N. Dak., on or about September 7, 1922, and transported from the State of North Dakota into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed animal substance.

On October 26, 1922, no claimant having appeared for the property, and it being made to appear by affidavit filed that the product was wholly decayed and unfit for consumption as food, it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11306. Adulteration and misbranding of butter. U. S. v. 1 Box of Butter. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16921. I. S. No. 1650-v. S. No. E-4218.)

On November 13, 1922, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 1 box of butter at Boston, Mass., alleging that the article had been shipped by the Independence Produce Co., Independence, Iowa, on or about October 16, 1922, and transported from the State of Iowa into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Cold Storage Cedar Valley Creamery Co. Waterloo, Iowa."

Adulteration of the article was alleged in the libel for the reason that excessive moisture had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for butter, which the said article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the said article, to wit, butterfat, had been in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, butter.

On January 24, 1923, 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. The product was delivered by the marshal to a public institution for use in cooking.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11307. Adulteration of eggs. U. S. v. 42 Cases of Eggs. Default entered. Product ordered destroyed.** (F. & D. No. 17010. I. S. No. 5486-v. S. No. C-3840.)

On November 16, 1922, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 42 cases of eggs, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by William Bunting & Sons, Albee, S. Dak., on or about October 5, 1922, and transported from the