

by the Cumberland Valley Creamery, Inc., Nashville, Tenn., May 9, 1922, and transported from the State of Tennessee into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "One Pound Net Sunlight Creamery Butter Sunlight Creameries Washington, C. H. Ohio."

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed with and substituted in part for the said article.

Misbranding of the article was alleged for the reason that the statement on the label of the cartons containing the article, "One Pound Net Sunlight Creamery Butter," was false and misleading since the article was not pure butter and the package did not contain 1 pound net, but did contain less than that amount. 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, to wit, butter, 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 since the statement made was not correct.

On July 20, 1922, the Cudahy Packing Co., Inc., having appeared as claimant for the property and having admitted the allegations in the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$60, in conformity with section 10 of the act, conditioned in part that it be re-shipped to the Cumberland Valley Creamery, Inc., Nashville, Tenn., to be re-worked and relabeled under the supervision of this department, and that the claimant pay the costs of the proceedings.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11453. Adulteration and misbranding of butter. U. S. v. 44 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond to be reworked and relabeled. (F. & D. No. 16351. I. S. No. 8191-t. S. No. E-3890.)

On July 26, 1922, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 44 cases of butter, remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped by the Davidson County Creamery Co., from Lexington, N. C., May 21, 1922, and transported from the State of North Carolina into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Piedmont * * * Pure Creamery Butter * * * One Pound Net Davidson County Creamery Co. Lexington, N. C. * * * Each Pound Guaranteed."

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed with and substituted in part for the article.

Misbranding was alleged for the reason that the statements on the labels of the cartons containing the article, regarding the said article, "Butter * * * One Pound Net," were false and misleading since the said article was not pure butter and the packages did not contain one pound net but considerably less than that amount. 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 July 26, 1922, the Davidson County Creamery Co., Lexington, N. C., claimant, having admitted the allegations in the libel and having filed a bond in the sum of \$200 in conformity with section 10 of the act, conditioned upon compliance by the claimant with the decree of the court, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant to be reshipped to the claimant at Lexington, N. C., for re-working, repacking, and relabeling under the supervision of this department.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11454. Adulteration of chloroform. U. S. v. 1,000 Tins and 40 Tins of Chloroform. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16431, 16595. S. Nos. E-3965, E-4039.)

On or about June 19 and July 10, 1922, respectively, the United States attorney for the Southern District of Georgia, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 1,040 tins of chloroform at

Savannah, Ga., alleging that the article had been shipped from New York, N. Y., in part on or about February 24, 1922, and in part on May 26, 1922, and transported from the State of New York into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Chloroform for Anaesthesia."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the chloroform in one shipment was turbid, contained hydrochloric acid, free chlorin, impurities decomposable by sulphuric acid, and chlorinated decomposition products, and upon evaporation it left a foreign odor, and that in the other shipment it was turbid, contained chlorid, impurities decomposable by sulphuric acid, and chlorinated decomposition products, and upon evaporation it left a foreign odor.

Adulteration of the article was alleged in the libels for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of the shipment of the said product.

On January 19, 1923, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11455. Adulteration and misbranding of shorts. U. S. v. 135 Sacks of Shorts. Default decrees of condemnation, forfeiture, and sale.
(F. & D. No. 16488. S. No. W-1124.)

On or about July 1, 1922, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 135 sacks of shorts, remaining in the original unbroken packages at Washougal, Wash., alleging that the article had been shipped by the C. A. Babcock Co., Portland, Oreg., on or about March 25, 1922, and transported from the State of Oregon into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was invoiced as "Std. Shorts."

Adulteration of the article was alleged in the libel for the reason that substances consisting essentially of bran and oat hulls had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding of the article was alleged for the reason that the statement, "Std. Shorts," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and 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 July 19, 1922, 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 sold by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11456. Adulteration of canned salmon. U. S. v. 2,149 Cases, et al., of Salmon. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 17153 to 17168, incl., 17223 to 17228, incl. I. S. Nos. 188-v, 253-v, 254-v, 256-v. S. Nos. E-4267, E-4271, E-4272, E-4298.)

On January 17 and February 6, 1923, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 4,921 cases of salmon, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Warren Packing Co., from Portland, Oreg., in various consignments, namely, on or about July 19, August 2, September 12, and September 19, 1922, respectively, and transported from the State of Oregon into the State of New York, and charging adulteration in violation of the Food and Drugs Act. A portion of the article (2,514 cases) was labeled in part: (Cans) "Fancy Columbia River Blue Back * * * Spring Catch Contents 8 Ounces Salmon * * * Warren Packing Company, Distributors Cathlamet, Wash. Warrendale, Ore." The remainder of the said article (2,407 cases) was labeled similarly except that the words, "Fresh Columbia River," were used in place of "Fancy Columbia River Blue Back."