

alleging that the article had been shipped by the Haserot Co., from Traverse City, Mich., on or about August 14, 1922, and transported from the State of Michigan into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Delight of Life Brand Red Sour Pitted Cherries Packed By The Francis H. Haserot Co. * * * Grand Traverse Bay, Michigan * * * Distributed By The Haserot Company, Cleveland, U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On July 25, 1923, the Haserot Co., claimant, having admitted the allegations of the libel and 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 \$1,000, in conformity with section 10 of the act, conditioned in part that it be reshipped to the factory of the claimant and sorted under the supervision of this department, the bad portion destroyed and the good portion released.

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

11824. Misbranding of strawberries. U. S. v. Joseph R. Kenner. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 16844. I. S. No. 980-t.)

On December 23, 1922, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph R. Kenner, Bells, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about May 12, 1922, from the State of Tennessee into the State of Indiana, of a quantity of strawberries in crates which were misbranded.

Misbranding of the article was alleged in the information for the 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 April 23, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

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

11825. Adulteration of fava beans. U. S. v. 100 Sacks of Fava Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16901. I. S. No. 6057-v. S. No. C-3828.)

On November 3, 1922, 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 the seizure and condemnation of 100 sacks of fava beans, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Hibernia Bank & Trust Co., from San Luis Obispo, Calif., on or about October 9, 1922, and transported from the State of California into the State of Louisiana, 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 wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On February 10, 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.

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

11826. Adulteration of butter. U. S. v. 78 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17640. I. S. No. 450-v. S. No. E-4439.)

On July 11, 1923, 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 the seizure and condemnation of 78 tubs of butter, consigned by the New Haven Creamery Co., Osage, Iowa, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from Stacyville, Iowa, on or about June 19, 1923, and transported from the State of Iowa into the State of New York, and charging adulteration in violation of the Food and Drugs Act.