said so as to deceive and mislead the purchaser into the belief that each of the said packages contained 1 pound net of the article, whereas, in truth and in fact, each of said packages did not contain 1 pound net of the said article but did contain a less 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 January 10, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $50.

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

12163. Adulteration and alleged misbranding of butter. U. S. v. 48 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 18409. I. S. No. 17625-v. S. No. C-4295.)

On February 23, 1924, the United States attorney for the Northern District of Illinois, 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 48 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by Reed's Creamery Co., from Randolph, Nebr., February 6, 1924, and transported from the State of Nebraska into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the article, and for the further reason that a valuable constituent of the said article, to wit, butterfat, had been in part abstracted therefrom.

Misbranding was alleged for the reason that the statement, "Butter," appearing on the labels, was false and misleading and deceived and misled the purchaser.

On February 26, 1924, the Reed's Creamery Co., Randoph, Nebr., claimant, having admitted the material allegations of the libel and consented to the entry of a decree, judgment of the court was entered finding the product to be adulterated and ordering that it 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 reprocessed under the supervision of this department.

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

12164. Misbranding of strawberries. U. S. v. James Daniel Bonds and Howard Joseph Foltz (J. D. Bonds & Co.). Pleas of guilty. Fine, $10 and costs. (F. & D. No. 16843. I. S. No. 4655-t.)

At the November, 1922, term of the United States District Court within and for the Western District of Tennessee, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the district court aforesaid an information against James Daniel Bonds and Howard Joseph Foltz, copartners, trading as J. D. Bonds & Co., Dyer, Tenn., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about May 17, 1922, from the State of Tennessee into the State of Missouri, of a number of crates containing strawberries which were misbranded. The article was labeled in part: "From J. D. Bonds."

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 defendants entered pleas of guilty to the information, and the court imposed a fine of $10 and costs.

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

12165. Adulteration of canned salmon. U. S. v. 243 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17863. I. S. No. 20683-v. S. No. W-1427.)

On October 19, 1923, 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