

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, to wit, butterfat, had been in part abstracted from the said article.

On August 2, 1924, Cromer and Cossitt, Inc., Chicago, Ill., claimant, having admitted the allegations of the libel and having 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 reprocessed under the supervision of this department.

HOWARD M. GORE, *Secretary of Agriculture.*

**12628. Misbranding and adulteration of food sweetener. U. S. v. 10-Pound Can of Food Sweetener. Decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13672. I. S. No. 10255-t. S. No. W-767.)

On September 9, 1920, the United States attorney for the District of Utah, 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 one 10-pound can of food sweetener, remaining in the original unbroken packages at Ogden, Utah, alleging that the article had been shipped by the W. B. Wood Mfg. Co., from St. Louis, Mo., on or about July 15, 1920, and transported from the State of Missouri into the State of Utah, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Wood's Special Concentrated Sweetener \* \* \* W. B. Wood Mfg. Co. 10 Lbs. Net."

Adulteration of the article was alleged in the libel for the reason that starch and saccharin had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that it contained an added poisonous or deleterious ingredient, saccharin, which rendered it injurious to health.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article. Misbranding was alleged for the further reason that the label was false and misleading.

On February 9, 1924, the case having come on for trial before the court and no one appearing for the claimant, after the submission of evidence, a decree of the court was entered, finding the product to be misbranded and ordering its condemnation, forfeiture, and destruction.

HOWARD M. GORE, *Secretary of Agriculture.*

**12629. Adulteration and misbranding of butter. U. S. v. 10 Boxes of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed.** (F. & D. No. 18930. I. S. No. 19028-v. S. No. C-4463.)

On August 16, 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 10 boxes, each containing 30 one-pound prints of butter, at Chicago, Ill., alleging that the article had been shipped by the D. E. Wood Butter Co., from Evansville, Wis., August 11, 1924, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Monogram Brand Elgin Quality Creamery Butter. The D. E. Wood Butter Co., Evansville, Wis. One Pound."

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed therewith 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 said article, and for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted therefrom.