

Misbranding was alleged with respect to the sirup, tea, and coffee involved in all the consignments for the reason that they were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On December 2, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$370.

W. M. JARDINE, *Secretary of Agriculture.*

12931. Adulteration of frozen mixed eggs. U. S. v. 135 Cans of Frozen Mixed Eggs. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 18440. I. S. No. 13137-v. S. No. E-4767.)

On March 1, 1924, the United States attorney for the District of New Jersey, 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 cans of frozen mixed eggs, at Jersey City, N. J., alleging that the article had been shipped by the Franklin Egg Co., Inc., from New York, N. Y., on or about June 7, 1923, and transported from the State of New York into the State of New Jersey, 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 filthy, decomposed, and putrid animal substance.

On December 22, 1924, the claimant of the property 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 destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

12932. Adulteration and misbranding of butter. U. S. v. 4 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19123. I. S. No. 16878-v. S. No. E-4965.)

On October 21, 1924, the United States attorney for the District of Rhode Island, 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 4 cases, each containing 80 prints, of butter, remaining in the original unbroken packages at Providence, R. I., alleging that the article had been shipped by the Mt. Mansfield Co-operative Creamery & Grain Assoc., Inc., Stowe, Vt., and transported from the State of Vermont into the State of Rhode Island, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Wrapper) "Mt. Mansfield Jersey Brand Fancy Creamery Butter Manufactured By Mt. Mansfield Co-op. Creamery & Grain Ass'n., Inc., Stowe, Vermont."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed with and 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 wholly or in part abstracted.

Misbranding was alleged for the reason that the statement appearing in the label, "Fancy Creamery Butter," was false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of and offered for sale under the distinctive name of another article.

During the month of December, 1924, the Mt. Mansfield Co-operative Creamery & Grain Assoc., Inc., having appeared as claimant for the property, 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 \$300, in conformity with section 10 of the act.

W. M. JARDINE, *Secretary of Agriculture.*

12933. Misbranding of butter. U. S. v. Beatrice Creamery Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 18744. I. S. No. 15163-v.)

On August 6, 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 an information against the Beatrice Creamery Co., a corporation, trading at Chicago, Ill., alleging shipment by said company, in violation of the food and drugs act, on or about