uct be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $700, in conformity with section 10 of the act.

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

13013. Misbranding of butter. U. S. v. 30 Packages of Butter. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 18962. I. S. No. 18330-v. S. No. C-4469.)

On or about August 8, 1924, the United States attorney for the Eastern District of Tennessee, 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 30 packages of butter, remaining in the original unbroken packages at Chattanooga, Tenn., alleging that the article had been shipped by the Dodge County Creamery, from Eastman, Ga., July 30, 1924, and transported from the State of Georgia into the State of Tennessee, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Sunny South Butter * * * Dodge County Creamery Eastman, Georgia, One Pound Net When Packed."

Misbranding of the article was alleged in the libel for the reason that the packages, which were labeled "One Pound Net," did not each contain 1 pound net of butter but contained a less amount.

On November 3, 1924, 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.

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

13014. Misbranding of tankage. U. S. v. Swift & Co. Plea of nolo contendere. Fine, $150 and costs. (F. & D. No. 18319. I. S. Nos. 4530-v, 8840-v, 8841-v.)

On July 12, 1924, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Swift & Co., a corporation, trading at Cleveland, Ohio, alleging shipment by said company, in violation of the food and drugs act, in part on or about March 19, 1923, and in part on or about May 23, 1923, from the State of Ohio into the State of Indiana, of quantities of tankage which was misbranded. The article was labeled in part: (Sack) "Swift's Digester Tankage Manufactured By Swift & Company Chicago, Ill. Guaranteed Analysis Protein 60%."

Analyses by the Bureau of Chemistry of this department of a sample from each of the three consignments of the article showed that the said samples contained 53.38 per cent, 53.07 per cent, and 54.43 per cent, respectively, of protein.

Misbranding of the articles was alleged in the information for the reason that the statement "Guaranteed Analysis Protein 60%," borne on the sacks containing the said article, was false and misleading, in that the said statement represented that the article contained not less than 60 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 60 per cent of protein, whereas the said article did contain less than 60 per cent of protein.

On December 22, 1924, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of $150 and costs.

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

13015. Misbranding of A. D. S. special kidney and bladder pills. U. S. v. 210 Dozen Packages of A. D. S. Special Kidney and Bladder Pills. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19448. I. S. No. 11722-v. S. No. W-1625.)

On December 29, 1924, the United States attorney for the Northern District of California, 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 210 dozen packages of A. D. S. special kidney pills, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the American Druggists Syndicate, from New York, N. Y., in part on or about October 2, 1924, and in part on or about November 6, 1924, and transported from the State of New York into the