

13196. Misbranding of butter. U. S. v. 12 Cartons of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19839. I. S. No. 17409-v. S. No. E-5159.)

On February 16, 1925, the United States attorney for the District of Maryland, 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 12 cartons, each containing 50 pounds, of butter, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by H. Christians, from Chicago, Ill., February 10, 1925, and transported from the State of Illinois into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended. The article was contained in cartons labeled in part: "One Pound Net Weight" and consisted of quarter-pound prints enclosed in parchment wrappers labeled in part: "4 Oz. Net Weight."

Misbranding of the article was alleged in the libel for the reason that the statements on the carton and wrapper, respectively, "One Pound Net Weight" and "4 Oz. Net Weight" were false and misleading and deceived and misled the purchaser. 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 March 13, 1925, the H. C. Christians Co., Johnson Creek, Wis., having appeared as claimant for the property and having admitted the material allegations of the libel, 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, conditioned in part that it not be sold or disposed of until properly labeled to show the true contents.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13197. Adulteration of canned string beans. U. S. v. 1,199 Cases of String Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19200. I. S. No. 18762-v. S. No. C-4536.)

On or about December 1, 1924, the United States attorney for the Western District of Arkansas, 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 1,199 cases of string beans, at Fayetteville, Ark., alleging that the article had been shipped by the Rosen-Reichardt Brokerage Co., St. Louis, Mo., November 4, 1924, and transported from the State of Missouri into the State of Arkansas, 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 January 30, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13198. Adulteration of shell eggs. U. S. v. Ben Glickman, Herman Glickman, and Sam Gross (Viroqua Hide & Fur Co.). Pleas of guilty. Fine, \$25. (F. & D. No. 18314. I. S. No. 4245-v.)

On October 14, 1924, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ben Glickman, Herman Glickman, and Sam Gross, copartners, trading as Viroqua Hide & Fur Co., Viroqua, Wis., alleging shipment by said defendants, in violation of the food and drugs act, on or about July 16, 1923, from the State of Wisconsin into the State of Illinois, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 720 eggs from the consignment showed that 97, or 13.4 per cent of those examined, were inedible eggs, consisting of black rots, mixed rots, moldy eggs, spot rots, and blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On November 10, 1924, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

R. W. DUNLAP, *Acting Secretary of Agriculture.*