

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

On April 27, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

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

13336. Misbranding of butter. U. S. v. 5 Cases of Butter. Product ordered released under bond. (F. & D. Nos. 19874, 19875, 19876. I. S. No. 3563-v. S. No. E-5164.)

On or about March 12, 1925, the United States attorney for the District of Porto Rico, 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 5 cases of butter, remaining in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped by the Texas Creamery Co., Houston, Tex., on or about January 27, 1925, and transported from the State of Texas into the Territory of Porto Rico, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Extra Fancy Morning Glory Creamery Butter Texas Creamery Co., Houston, Tex * * * One Pound Net."

Misbranding of the article was alleged in the libel for the reason that the statement "One Pound Net," appearing in the labeling, was 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, since the statement made was not correct.

On April 20, 1925, the Texas Creamery Co., Houston, Tex., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of the court was entered, ordering that the claimant pay the costs of the proceedings and that the product be released to the said claimant upon the execution of a bond in the sum of \$150, in conformity with section 10 of the act.

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

13337. Adulteration of mustard seed. U. S. v. 411 Pounds and 2 Sacks of Mustard Seed. Consent decrees of condemnation and forfeiture. Product released under bond to be reconditioned. (F. & D. Nos. 19149, 19367. I. S. Nos. 19783-v, 21832-v. S. Nos. C-4531, C-4553.)

On November 12 and December 6, 1924, respectively, the United States attorney for the Western District of Kentucky, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 411 pounds and 2 sacks, containing 437 pounds, of mustard seed, remaining in the original packages at Louisville, Ky., consigned by the Widlar Co., Cleveland, Ohio, in part October 21, 1924, and in part November 5, 1924, alleging that the article had been shipped from Cleveland, Ohio, and transported from the State of Ohio into the State of Kentucky, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "The Widlar Co., Cleveland, Ohio."

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On April 11 and May 1, 1925, respectively, the Widlar Co., Cleveland, Ohio, having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation were 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 bonds in the aggregate sum of \$116, in conformity with section 10 of the act, conditioned in part that the said product be properly reconditioned.

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

13338. Adulteration of canned sardines. U. S. v. 250 Cases, et al., of Sardines. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 19481, 19482, 19483, 19503. I. S. Nos. 22926-v, 22928-v. S. Nos. C-4593, C-4594.)

On January 10 and 13, 1925, respectively, the United States attorney for the Eastern District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 893 cases of sardines, remaining in