

13863. Adulteration of butter. U. S. v. 6 Tubs of Butter. Decree of condemnation entered. Product released on deposit of collateral.
(F. & D. No. 20300. I. S. No. 22416-v. S. No. E-5370.)

On July 6, 1925, the United States attorney for the District of Massachusetts, 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 6 tubs of butter, remaining in the original unbroken packages at Boston, Mass., consigned June 22, 1925, alleging that the article had been shipped by the Willow Lake Creamery, Willow Lake, S. Dak., and transported from the State of South Dakota into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

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.

On July 29, 1925, Chase Bros. (Willow Lake Creamery), Willow Lake, S. Dak., having entered an appearance as claimant for the property and having deposited collateral in the sum of \$350, in lieu of bond, to insure compliance with the terms of the decree, judgment of condemnation was entered, and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13864. Adulteration of oranges. U. S. v. 462 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product released under bond.
(F. & D. No. 20199. I. S. No. 14660-v. S. No. C-4752.)

On June 18, 1925, 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 462 boxes of oranges, remaining in the original unbroken packages at Harvey, Ill., alleging that the article had been shipped by the Angeles Brokerage Co., from San Gabriel, Calif., June 5, 1925, into the State of Tennessee, and that it had been reconsigned from Memphis, Tenn., and was en route for export into Canada, 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 part of a decomposed vegetable substance.

On July 1, 1925, H. D. Boehner, 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 the sound portion be used in the manufacture of orange products such as orange juice under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13865. Misbranding of cottonseed cake. U. S. v. 280 Sacks of Cottonseed Cake. Default decree of condemnation, forfeiture, and sale.
(F. & D. No. 18449. I. S. No. 11940-v. S. No. W-1490.)

On March 6, 1924, the United States attorney for the District of Colorado, 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 280 sacks of cottonseed cake, remaining in the original unbroken packages at La Junta, Colo., consigned by the International Vegetable Oil Co., Dallas, Tex., alleging that the article had been shipped from Dallas, Tex., on or about January 25, 1924, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Cottonseed Cake or Meal Manufactured by the International Vegetable Oil Co., Dallas, Texas Guaranteed Analysis: Protein, Not less than 43.00% Ammonia, Not less than 8.37% Fat, Not less than 6.00% Fibre, Not more than 12.00%."

Misbranding of the article was alleged in the libel for the reason that the statement "Guaranteed Analysis: Protein, Not less than 43.00% Ammonia, Not less than 8.37% Fat, Not less than 6.00% Fibre, Not more than 12.00%," borne on the labels, was false and misleading and deceived and misled the purchaser.

On August 15, 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 relabeled and sold by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13866. Misbranding of meat scraps. U. S. v. 20 Sacks of Meat Scraps. Product ordered released under bond. (F. & D. No. 20596. I. S. No. 323-x. S. No. W-1809.)

On November 19, 1925, the United States attorney for the District of Wyoming, 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 20 sacks of meat scraps, remaining in the original unbroken packages at Laramie, Wyo., alleging that the article had been shipped by the Colorado Animal By-Products Mfg. Co., Denver, Colo., on or about October 23, 1925, and transported from the State of Colorado into the State of Wyoming, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Sack) "Golden Brand Improved Meat & Bone Meat Scraps Protein 50% Fat 10% Bone Phosphate 20% Fibre 2% Manufactured By Colorado Animal By-Products Mfg. Co. Denver."

Misbranding of the article was alleged in the libel for the reason that the statement "Protein 50%," borne on the sacks, was false and misleading and deceived and misled the purchaser, in that the said article did not contain 50 per cent of protein but did contain a lower percentage of protein.

On November 25, 1925, the Colorado Animal By-Products Co., Denver, Colo., having appeared as claimant for the property and having executed a bond in the sum of \$130, conditioned in part that the product not be sold or otherwise disposed of contrary to law, a decree of the court was entered, ordering that the said product be released to the claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13867. Adulteration and misbranding of canned corn. U. S. v. 193 Cases, et al., of Canned Corn. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 20504, 20505, 20506, 20507. I. S. No. 5162-x. S. No. E-5525.)

On October 15, 1925, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a district court, libels praying the seizure and condemnation of 723 cases of canned corn, remaining in the original unbroken packages at Washington, D. C., alleging that the article was being offered for sale and sold in the District of Columbia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Blue Bell Brand Whole Kernel Fancy Shoe Peg Corn * * * Wm Silver & Co. Inc. Aberdeen, Md. Distributers."

Adulteration of the article was alleged in the libels for the reason that a substance, excessive brine, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Whole Kernel Fancy Shoe Peg Corn," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On November 5, 1925, Eugene Billingslea, Aberdeen, Md., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture 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 \$1,500, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13868. Adulteration of walnut meats. U. S. v. 3 Cases of Walnut Meats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20541. I. S. No. 8052-x. S. No. E-5532.)

On November 2, 1925, the United States attorney for the Southern District of New York, 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 3 cases of walnut meats, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by S. Bledjian Fils & Cie, from Constantinople, Turkey, arriving in