

in the original unbroken packages at Baltimore, Md., consigned about August 1, 1925, alleging that the article had been shipped by the Seawright Mineral Springs, Inc., from Staunton, Va., and transported from the State of Virginia into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Natural Spring Water * * * Seawright Trade Mark * * * Seawright Mineral Springs Inc., Staunton, Virginia."

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

On October 28, 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.

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

13893. Adulteration and misbranding of canned tomatoes. U. S. v. 650 Cases of Canned Tomatoes. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20268. I. S. No. 14229-v. S. No. E-5435.)

On July 25, 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 650 cases of canned tomatoes, remaining in the original unbroken packages at Haverhill, Mass., alleging that the article had been shipped by the Davis Canning Co., from Laurel, Del., October 3, 1924, and transported from the State of Delaware into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Dee Bee Brand Tomatoes * * * Quality First Packed By Davis Canning Co. Laurel, Del."

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

Misbranding was alleged for the reason that the statement "Quality First * * * Tomatoes," together with the cut of a ripe red tomato, borne on the labels, 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 October 9, 1925, the Davis Canning Co., Laurel, Del., having appeared as claimant for the property and having filed a satisfactory bond, in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

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

13894. Adulteration of butter. U. S. v. 10 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20273. I. S. No. 5302-x. S. No. E-5371.)

On or about July 9, 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 10 tubs of butter, remaining in the original unbroken packages at Boston, Mass., consigned about June 29, 1925, alleging that the article had been shipped by the Starksboro Creamery Co., Bristol, Vt., and transported from the State of Vermont 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 in that a valuable constituent thereof, to wit, butterfat, had been wholly or in part abstracted.

On July 21, 1925, the Starksboro Cooperative Creamery, Starksboro, Vt., having appeared as claimant for the property and having filed a satisfactory bond, in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

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