

on or about August 8, 1925, and in part on or about August 15, 1925, and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act as amended. A portion of the article was labeled in part: (Retail package) "One Pound Net. Mountain Grove Brand Fancy Creamery Butter 1 Lb. Net. \* \* \* Net Weight One Pound. The contents of this package weighed one pound when packed." The remainder of the said article was labeled: (Retail package) "Park View Farms Creamery Country Roll \* \* \* 2 Lbs. Net."

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

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article. Misbranding was alleged with respect to the alleged 1 pound packages of the product for the further reason that the statements, "One Pound Net," "1 Lb. Net," "Net Weight One Pound," and "The contents of this package weighed one pound when packed," borne on the label, were false and misleading and deceived and misled the purchaser, and for the further reason that it 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 quantity stated was not correct.

On January 15, 1926, the Paul A. Schulze Co., St. Louis, Mo., 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 the execution of good and sufficient bonds, conditioned in part that it be reworked, relabeled, or repacked under the supervision of this department and that the claimant pay the costs of the proceedings.

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

**14122. Misbranding of apples. U. S. v. Samuel Sloan Shields and Arthur Leroy Edwards (Shields Fruit Co.). Pleas of guilty. Fines, \$100.** (F. & D. No. 16007. I. S. No. 11177-t.)

On September 15, 1924, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Samuel Sloan Shields and Arthur Leroy Edwards, copartners, trading as Shields Fruit Co., Freewater, Oreg., alleging shipment by said defendants, in violation of the food and drugs act as amended, on or about November 9, 1921, from the State of Oregon into the State of Ohio, of a quantity of apples in boxes which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 13, 1925, both defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 against each defendant.

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

**14123. Adulteration and misbranding of prepared mustard. U. S. v. 23 Gallon Jars of Prepared Mustard. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 19993. I. S. No. 21106-v. S. No. W-1695.)

On April 14, 1925, the United States attorney for the District of Oregon, 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 23 gallon jars of prepared mustard, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Gladbrook Mustard Factory, from Wilmington, Calif., on or about January 27, 1925, and transported from the State of California into the State of Oregon, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Jar) "Gladbrook Prepared Salad Mustard \* \* \* Gladbrook Mustard Factory Long Beach, Calif. & Gladbrook, Iowa."

Adulteration of the article was alleged in the libel for the reason that mustard bran had been mixed and packed therewith so as to reduce or injuriously