

14435. Misbranding of butter. U. S. v. 50 Cases of Sunlight Creamery Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19857. I. S. No. 22972-v. S. No. C-4663.)

On February 9, 1925, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 50 cases of Sunlight Creamery Butter, at Birmingham, Ala., alleging that the article had been shipped by the Harrow-Taylor Butter Co., Kansas City Mo., on or about January 30, 1925, and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Retail package) "Sunlight Creamery Butter One Pound Net."

Misbranding of the article was alleged in the libel for the reason that the statement "One Pound Net," borne on the labels, was 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.

On February 20, 1925, the Harrow-Taylor Butter Co., Kansas City, Mo., 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, conditioned that it be reshipped to the creamery and enough butter added to each carton to make 1 pound net as declared on the package.

W. M. JARDINE, *Secretary of Agriculture.*

14436. Adulteration of canned salmon. U. S. v. 50 Cases, et al., of Salmon. Product ordered released under bond to be salvaged. (F. & D. Nos. 19091, 19092, 19093, 19117. I. S. No. 22613-v. S. No. C-4509.)

On October 28 and 30, 1924, respectively, the United States attorney for the Northern District of Alabama, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 620 cases of salmon, in part at Birmingham, Ala., and in part at Ensley, Ala., alleging that the article had been shipped by the Alaska Consolidated Canneries, from Seattle, Wash., on or about August 12, 1924, and transported from the State of Washington into the State of Alabama, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Surf Brand Pink Salmon * * * Packed by Alaska Pacific Fisheries Seattle, Wash."

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

On June 10, 1926, the Alaska Consolidated Canneries, Inc., Seattle, Wash., having appeared as claimant for the property, an order of the court was entered, providing that the product be released to the said claimant upon the execution of a bond in the sum of \$1,000, conditioned that it be reshipped to Seattle, Wash., to be salvaged, and the decomposed portion removed therefrom before it is placed in interstate commerce as a food for human consumption.

W. M. JARDINE, *Secretary of Agriculture.*

14437. Adulteration and misbranding of jellies. U. S. v. 4 Cases and 25 Cases of Jellies. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18819. I. S. Nos. 16803-v to 16813-v, incl. S. No. E-4875.)

On July 10, 1924, 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 seizure and condemnation of 29 cases of jellies, remaining in the original unbroken packages at Boston, Mass., alleging that the articles had been shipped by Lutz & Schramm Co., in various consignments, January 23, February 11, March 29, and April 17, 1924, respectively, in part from Allegheny, Pa., and in part from Pittsburgh, Pa., and transported from the State of Pennsylvania into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. A portion of the articles were labeled in part: "Lusco Brand Apple And Strawberry" (or "Red Raspberry") "Preserves Compound, Corn Syrup, Apple Juice, Fruit, Granulated Sugar,