

Adulteration of the article was alleged in the libel 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 offered for sale under the distinctive name of another article.

On July 8, 1926, the Welton Creamery Co., Welton, Iowa, 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 \$1,100, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

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

14483. Adulteration and misbranding of butter. U. S. v. 99 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21185. I. S. No. 7577-x. S. No. E-5803.)

On July 6, 1926, 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 seizure and condemnation of 99 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by T. N. Fosse, Ridgeway, Iowa, on or about June 26, 1926, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding 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 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 offered for sale under the distinctive name of another article.

On July 9, 1926, O. A. Fosse, Ridgeway, Iowa, 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 \$3,000, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

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

14484. Adulteration and misbranding of canned sirup. U. S. v. 106 Cases of Canned Sirup. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21095. I. S. No. 1580-x. S. No. C-5157.)

On May 27, 1926, the United States attorney for the Southern District of Texas, 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 106 cases of canned sirup, remaining in the original unbroken packages at Houston, Tex., alleging that the article had been shipped by James T. Mary, Lafayette, La., February 16, 1926, and transported from the State of Louisiana into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libel for the reason that commercial glucose had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been partly substituted for the said article.

Misbranding was alleged for the reason that the article was labeled, to wit, "Myer's Brand New Crop Open Kettle Country Made Louisiana Pure Ribbon Cane Syrup Pure Ribbon Cane Syrup, made from the very best ribbon cane Guaranteed 100 per cent pure, being cleaned mechanically by skimming and straining, retaining all of the sugar elements. Packed For Myers Product Co., Houston, Texas net weight 1 Lb 2 Ozs.," which said statements were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, to wit, pure sirup, 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 packages in terms of liquid measure, said article being a liquid.

On July 13, 1926, James T. Mary, Lafayette, La., having appeared as claimant for the property, 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 in part that it be relabeled so as to show that it consists of sirup and commercial glucose.

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

14485. Adulteration and misbranding of raspberry jam. U. S. v. 233 Cases of Raspberry Jam. Consent decree of forfeiture entered. Product released to claimant. (F. & D. No. 19868. I. S. No. 22892-v. S. No. C-5006.)

On March 4, 1925, the United States attorney for the Eastern District of Missouri, 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 233 cases of raspberry jam, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Hudson Valley Pure Food Co., Highland, N. Y., on or about December 6, 1924, and transported from the State of New York into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ballardvale Brand Pure Raspberry Jam Distributed by United Drug Company Boston, Mass."

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

Misbranding was alleged for the reason that the statement "Pure Raspberry Jam," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On May 5, 1925, the United Drug Co., St. Louis, Mo., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the filing of a certificate that it had been relabeled in compliance with the law, and it was further ordered that the claimant pay the costs of the proceedings.

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

14486. Adulteration of sweet potatoes. U. S. v. 55 Cases of Sweet Potatoes. Default decree of destruction entered. (F. & D. No. 20986. I. S. No. 690-x. S. No. W-1945.)

On March 27, 1926, the United States attorney for the Southern District of California, 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 55 cases of sweet potatoes, at San Pedro, Calif., alleging that on or about March 27, 1926, J. C. Riley, Los Angeles, Calif., had delivered the article for shipment in interstate commerce into the State of Virginia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Barbara Brand Distributed By Purity Produce Corp., Los Angeles, Calif."

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

On May 15, 1926, no claimant having appeared for the property, judgment was entered, finding the product adulterated and ordering that it be destroyed by the United States marshal.

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

14487. Adulteration and misbranding of butter. U. S. v. Herschel M. Johnson (Johnson Creamery Co.). Plea of guilty. Fine, \$100. (F. & D. No. 19320. I. S. Nos. 18838-v, 18839-v, 18841-v, 18843-v.)

On February 24, 1925, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Herschel M. Johnson, trading as the Johnson Creamery Co., Stewardson, Ill.,