

14613. Adulteration of tomato catsup. U. S. v. 10 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20954. I. S. No. 1696-x. S. No. C-5051.)

On March 19, 1926, the United States attorney for the Western 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 10 cases of tomato catsup, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by Geo. Van Camp & Sons Co., from East St. Louis, Ill., on or about December 30, 1925, and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "George Van Camp's Tomato Catsup * * * Geo. Van Camp & Sons Co. Westfield, Ind."

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 September 11, 1926, 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.

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

14614. Adulteration and misbranding of butter. U. S. v. 22 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21085. I. S. No. 7492-x. S. No. E-5717.)

On or about April 22, 1926, the United States attorney for the Southern District of Florida, 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 22 cases of butter, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Valdosta Creamery, from Valdosta, Ga., on or about April 16, 1926, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Sweet Clover Creamery Butter One Pound."

Adulteration of the article was alleged in the libel for the reason that a product deficient in milk fat and containing an excessive amount of moisture had been substituted for butter, which the said article purported to be, and for the further reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the statement "Butter," borne on the packages containing the article, was false and misleading, in that the said statement represented that the article consisted wholly of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of butter, whereas it did not so consist but did consist of a product deficient in milk fat and containing excessive moisture. Misbranding was alleged for the further reason that the statement "Butter," borne on the label, was false and misleading, in that it represented that the article was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, whereas it was a product which contained less than 80 per cent by weight of milk fat.

On April 27, 1926, T. J. Fenn, Valdosta, Ga., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$511.70, conditioned in part that it be reworked so that it would contain all necessary ingredients.

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

14615. Misbranding of butter. U. S. v. 15 Cases, et al., of Butter. Product ordered released under bond. (F. & D. Nos. 20612, 20613. I. S. Nos. 570-x, 575-x. S. Nos. W-1805, W-1807.)

On October 27 and 30, 1925, respectively, the United States attorney for the District of Arizona, 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 30 cases, each containing 30 cartons, of butter, at Phoenix, Ariz., alleging that the article had been shipped by the San Juan Creamery Co., from Durango, Colo., in part on or about October 22, 1925, and in part