

On November 12, 1925, and July 10, 1926, respectively, no claimant having appeared for the property, judgments of the court were entered, finding the product adulterated and ordering its forfeiture and destruction.

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

14643. Misbranding of tankage. U. S. v. 50 Sacks of Tankage. Decree ordering product released under bond to be reconditioned. (F. & D. No. 20892. I. S. No. 1679-x. S. No. C-4978.)

On February 23, 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 50 sacks of tankage, remaining in the original unbroken sacks at Webb City, Mo., alleging that the article had been shipped by Morris & Co., from Kansas City, Kans., January 2, 1926, and transported from the State of Kansas into the State of Missouri, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Morris Meat Meal Digester Tankage Big Sixty Analysis Protein 60%."

Misbranding of the article was alleged in the libel for the reason that the statement, "Analysis Protein 60%," borne on the label, was false and misleading and deceived and misled the purchaser, in that the said article was deficient in protein.

During the month of March, 1926, Morris & Co., Kansas City, Kans., having appeared as claimant for the property and having admitted the allegations of the libel and having filed a bond in the sum of \$500, a decree was entered, ordering that the product be released to the said claimant to be transferred to Kansas City, Kans., for the purpose of being reconditioned.

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

14644. Misbranding of butter. U. S. v. 15 Cases of Butter. Product ordered released under bond. (F. & D. No. 21231. I. S. No. 13478-x. S. No. E-5779.)

On July 24, 1926, the United States attorney for the Eastern District of South Carolina, 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 15 cases of creamery butter, remaining in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped by Swift & Co., Nashville, Tenn., July 9, 1926, and transported from the State of Tennessee into the State of South Carolina, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Retail package) "Brookfield Creamery Butter 1 Lb. Net Weight Distributed By Swift & Company U. S. A."

Misbranding of the article was alleged in the libel for the reason that the statement "Brookfield Creamery Butter 1 Lb. Net Weight," borne on the label, was false and misleading and deceived and misled the purchaser, in that the said product was short in weight. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 18, 1926, Swift & Co. having appeared as claimant for the property, judgment was entered, ordering the product released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be returned to the creamery to be reworked and repacked and so labeled as to show the true weight.

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

14645. Adulteration of shell eggs. U. S. v. 25 Cases of Eggs. Consent decree, adjudging product adulterated and ordering its release under bond. (F. & D. No. 20209. I. S. No. 6324-v. S. No. C-4770.)

On June 24, 1925, 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 25 cases of eggs, remaining in the original unbroken packages at Neosho, Mo., alleging that the article had been shipped by the A. B. C. Produce Co., Siloam Springs, Ark., on or about June 19, 1925, and transported from the State of Arkansas into the State of Missouri, and charging adulteration in violation of the food and drugs act.

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

On July 20, 1925, the A. B. C. Produce Co., Siloam Springs, Ark., claimant, having admitted the allegations of the libel and having consented that judgment might be entered for the condemnation and forfeiture of the product, a decree was entered, finding the product adulterated, and it was ordered by the court that the said product be released to the 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 recandled under the supervision of this department.

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

14646. Adulteration and misbranding of assorted jams. U. S. v. 36 Cases of Assorted Jams. Consent decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 21270. I. S. Nos. 10697-x, 10698-x, 10699-x, 10700-x. S. No. W-2007.)

On August 26, 1926, 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 seizure and condemnation of 36 cases of assorted jams, remaining in the original unbroken packages at Portland, Oreg., consigned by the Oest Fruit Co., San Francisco, Calif., alleging that the article had been shipped from San Francisco, Calif., on or about June 30, 1926, 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) "Oest's Pure Fruit Jam * * * Oest Fruit Co. San Francisco, Cal."

Adulteration of the article was alleged in the libel for the reason that a substance, apple juice and sugar, had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality and strength, and in that a substance, an insufficiently concentrated product deficient in fruit and containing apple juice and excessive sugar, had been substituted wholly or in part for fruit jam of good commercial value.

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

On September 13, 1926, the Oest Fruit Co., San Francisco, Calif., having appeared as claimant for the property 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 deposit of a certified check in the sum of \$100, to insure that the product not be sold or otherwise disposed of until relabeled in a manner satisfactory to this department.

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

14647. Adulteration of shell eggs. U. S. v. Anderson Produce Co. Judgment confessed. Fine, \$10 and costs. (F. & D. No. 17237. I. S. No. 3864-v.)

On April 21, 1923, 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 an information against the Anderson Produce Co., a corporation, Milan, Mo., alleging shipment by said company, in violation of the food and drugs act, on or about August 19, 1922, from the State of Missouri into the State of Illinois, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 1,440 eggs from 8 half cases showed 378, or 26.25 per cent, inedible eggs.

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

On May 1, 1923, the defendant company having confessed judgment, a fine of \$10 and costs was imposed.

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

14648. Misbranding of feed. U. S. v. 85 Sacks of Corno Stock Feed. Decree of forfeiture entered. Product released under bond. (F. & D. No. 21138. I. S. No. 6537-x. S. No. E-5774.)

On June 19, 1926, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in