

and misleading, in that the said statement represented that the sacks each contained 100 pounds of the product, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the sacks each contained 100 pounds of the product, whereas they did not but did contain a less amount. 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 April 18, 1927, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

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

**15024. Adulteration and misbranding of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21843. I. S. No. 16180-x. S. No. E-6054.)**

On March 31, 1927, 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 12 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Land O'Lakes Creameries, Inc., from Peoria, Ill., on or about March 21, 1927, and transported from the State of Illinois into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in 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 April 15, 1927, John Christiansen, Slayton, Minn., 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 \$350, conditioned in part that it be reworked and reprocessed so as to contain at least 80 per cent of butterfat.

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

**15025. Adulteration of dried figs. U. S. v. 87 Boxes of Adulterated Dried Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21707. I. S. No. 10728-x. S. No. W-2103.)**

On March 7, 1927, 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 87 boxes of dried figs, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the S. F. Warehouse Co., from San Francisco, Calif., on or about November 5, 1926, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Calimyrna Figs. Packed and Guaranteed by Melville B. Levi. \* \* \* Clovis, California."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, and in that filthy, decomposed, and putrid dried figs had been substituted for normal dried figs of good commercial quality.

On April 6, 1927, 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.*

**15026. Misbranding of Zendejas medicine. U. S. v. 9-5/6 Dozen Bottles and 12 Dozen Bottles of Zendejas medicine. Decrees of condemnation and forfeiture. Portion of product destroyed. Remainder released under bond to be relabeled. (F. & D. Nos. 21623, 21652. I. S. No. 11121-x. S. Nos. E-3280, E-5949.)**

On February 8 and 25, 1927, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agri-