

On June 1, 1927, the Terry Dairy Co., Little Rock, Ark., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be delivered to the said claimant to be reworked to conform to the weight and butterfat content required by law, upon the execution of a bond in the sum of \$1,000, and payment of the costs of the proceedings.

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

15258. Adulteration of canned blackberries. U. S. v. 17½ Cases of Canned Blackberries. Default order of destruction entered. (F. & D. No. 21247. I. S. No. 811-x. S. No. W-2003.)

On August 23, 1926, the United States attorney for the District of Utah, 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 17½ cases of canned blackberries, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the Kelley Packing Co., Chehalis, Wash., on or about September 10, 1925, and transported from the State of Washington into the State of Utah, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (can) "Kelley's Perfek-Pak * * * Blackberries * * * Kelley Packing Co., Chehalis, Wash."

It was alleged in the libel that the article was adulterated, in that it consisted wholly or in part of a decomposed or putrid vegetable substance.

On October 30, 1926, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

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

15259. Adulteration of canned blackberries. U. S. v. 120 Cases and 117 Cases of Canned Blackberries. Default decrees of destruction entered. (F. & D. Nos. 21165, 21225. I. S. Nos. 484-x, 810-x, 9584-x. S. Nos. W-1995, W-2000.)

On July 27, and August 12, 1926, respectively, the United States attorney for the District of Utah, 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 237 cases of canned blackberries, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the Pacific American Fisheries, from Seattle, Wash., in part on or about April 12, 1926, and in part on or about April 16, 1926, and transported from the State of Washington into the State of Utah, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Perfek-Pak Blackberries Kelley Packing Co., Chehalis, Washington."

It was alleged in the libels that the article was adulterated, in that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On October 30, 1926, no claimant having appeared for the property, decrees of the court were entered adjudging the product adulterated and ordering its destruction by the United States marshal.

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

15260. Adulteration of butter. U. S. v. 5 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21967. I. S. No. 17309-x. S. No. W-2163.)

On or about June 14, 1927, the United States attorney for the Western District of Washington, 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 5 cubes of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Idaho Creamery Co., Rupert, Idaho, May 25, 1927, and transported from the State of Idaho into the State of Washington, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a product containing less than 80 per cent of milk fat had been substituted for butter.

On June 27, 1927, the Idaho Creamery Co., and W. A. Snapp, Rupert, Idaho, claimants, 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 claim-

ants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, conditioned in part that it be reconditioned under the supervision of this department.

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

15261. Adulteration and misbranding of macaroni. U. S. v. 19 Boxes of Macaroni. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21524. I. S. No. 14439-x. S. No. C-5307.)

On January 10, 1927, the United States attorney for the Eastern District of Wisconsin, 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 19 boxes of macaroni, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by A. Morici Co., Chicago, Ill., December 6, 1926, and transported from the State of Illinois into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Triumph Brand Bologna Style * * * Artificially Colored * * * Manufactured and Guaranteed by Chicago Macaroni Co. Chicago, U. S. A."

Adulteration of the article was alleged in the libel for the reason that a substance, an imitation egg alimentary paste, containing little or no egg, 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. Adulteration was alleged for the further reason that the article was colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the article was an imitation of another article.

On February 23, 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.*

15262. Adulteration and misbranding of macaroni. U. S. v. 58 Cases and 42 Boxes of Macaroni. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21506, 21523. I. S. Nos. 14419-x, 14438-x. S. Nos. C-5301, C-5306.)

On December 29, 1926, and January 10, 1927, respectively, the United States attorney for the Eastern District of Wisconsin, 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 58 cases and 42 boxes of macaroni, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by G. Matalone, Chicago, Ill., in part November 5, 1926, and, in part December 16, 1926, and transported from the State of Illinois into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act as amended. A portion of the article was invoiced: "Genova and Bologna Style Paste." The remainder of the said article was labeled in part: "Triumph Brand, Bologna Style * * * Artificially Colored * * * Manufactured and Guaranteed by Chicago Macaroni Co. Chicago, U. S. A."

Adulteration of the article was alleged in the libels for the reason that an artificially colored imitation egg alimentary paste containing little or no egg, with respect to the "Genova and Bologna Style Paste," and an imitation egg alimentary paste, containing little or no egg, with respect to the "Triumph Brand" macaroni, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article was colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the article was an imitation of another article. Misbranding was alleged with respect to the "Genova and Bologna Style Paste" 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 23, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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