

and condemnation of 10 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Greensboro Creamery Dairy, Greensboro, N. C., alleging that the article had been shipped from Greensboro, N. C., on or about July 18, 1927, and transported from the State of North Carolina into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated in that a substance containing less than 80 per cent of butterfat 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.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article, and in that it was food in package form and the quantity of the contents was not plainly and conspicuously declared on the outside of the package.

On August 12, 1927, the Greensboro Creamery Dairy, Inc., Greensboro, N. C., 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 \$600, conditioned in part that it be reconditioned under the supervision of this department.

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

15279. Adulteration and misbranding of butter. U. S. v. 9 Tubs, et al., of Butter. Decrees of condemnation and forfeiture entered. Product released under bond. (F. & D. Nos. 22009, 22012. I. S. Nos. 20002-x, 20018-x, 20019-x. S. Nos. 15, 33.)

On July 13, and July 19, 1927, respectively, the United States attorney for the Eastern District of Pennsylvania, 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 22 tubs and 9 boxes of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Darter Butter Co., alleging that the article had been shipped from Bristol, Va., in two consignments, on or about July 10, and July 14, 1927, respectively, and transported from the State of Virginia into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act as amended. The portion of the product contained in boxes was labeled, in part: "Swan Butter Pasteurized Darter Butter Co., Bristol, Va.," (on side of box) "Lilly Butter, Pasteurized. Mf'd by Darter Butter Co., Bristol, Virginia."

It was alleged in the libels that the article was adulterated in that a substance containing less than 80 per cent of butterfat 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.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article. Misbranding was alleged with respect to a portion of the tub butter for the further reason that it was food in package form and the quantity of the contents was not declared.

On July 27, 1927, the Darter Butter Co., Inc., Bristol, Va., having appeared as claimant for the property, judgments of condemnation and forfeiture were 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 bonds totaling \$1,600, conditioned in part that it be reconditioned under the supervision of this department.

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

15280. Adulteration of oranges and grapefruit. U. S. v. 200 Boxes of Oranges and 100 Crates of Grapefruit. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 21849. I. S. Nos. 16608-x, 16609-x. S. No. E-6008.)

On March 30, 1927, the United States attorney for the Western 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 200 boxes and 100 crates of grapefruit, at Buffalo, N. Y., consigned by F. N. Hicks, Thonotosassa, Fla., alleging that the articles had been shipped from Thonotosassa, Fla., on or about March 22, 1927, and transported

from the State of Florida into the State of New York, and charging adulteration in violation of the food and drugs act.

Examination of the articles by this department showed that they consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the articles were adulterated in that they consisted in whole or in part of decomposed vegetable substances.

On April 2, 1927, F. N. Hicks, Thonatosassa, Fla., the owner of the property, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

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

15281. Misbranding of cottonseed meal. U. S. v. 100 Sacks of Cottonseed Meal. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21426. I. S. No. 13587-x. S. No. E-5677.)

On or about December 7, 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 100 sacks of cottonseed meal, remaining in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped by the Georgia Cotton Oil Co., from Macon, Ga., on or about October 30, 1926, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Cotton Seed Meal, Manufactured by Georgia Cotton Oil Company, Macon, Georgia. Guaranteed Analysis: Ammonia * * * 8.00% (equivalent to 41.12% protein)."

Misbranding of the article was alleged in the libel for the reason that the statement "Guaranteed Analysis: Ammonia 8.00% (equivalent to 41.12% protein)," borne on the label, was false and misleading and deceived and misled the purchaser.

On December 13, 1926, the Georgia Cotton Oil Co., Macon, 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 payment of the costs of the proceedings and the execution of a bond in the sum of \$200, conditioned in part that it be relabeled to conform with the law.

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

15282. Adulteration and misbranding of butter. U. S. v. 29 Tubs of Butter. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 22015. I. S. No. 20016-x. S. No. 32.)

On July 19, 1927, the United States attorney for the Eastern District of Pennsylvania, 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 29 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Wytheville Creamery, Wytheville, Va., alleging that the article had been shipped from Wytheville, Va., on or about July 16, 1927, and transported from the State of Virginia, into the State of Pennsylvania, 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 containing less than 80 per cent of butterfat 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.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article.

On August 3, 1927, M. Wildstein, Philadelphia, Pa., 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 \$1,800, conditioned in part that it be reconditioned under the supervision of this department.

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