

N. C., alleging that the article had been shipped from Burlington, N. C., on or about July 20, 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. The article was labeled in part: "From North State Creamery Company, Burlington, N. C."

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 3, 1927, the North State Creamery Co., Inc., Burlington, 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 \$1,000, conditioned in part that it be reconditioned under the supervision of this department.

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

15306. Adulteration and misbranding of butter. U. S. v. 14 Tubs of Butter. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 22014. I. S. No. 20028-x. S. No. 36.)

On July 21, 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 14 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 18, 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 \$900, conditioned in part that it be reconditioned under the supervision of this department.

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

15307. Adulteration of Fenholloway sulphur water. U. S. v. 30 Crates of Fenholloway Sulphur Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21378. I. S. No. 13514-x. S. No. E-5906.)

On November 13, 1926, the United States attorney for the Middle District of Georgia, 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 30 crates of Fenholloway sulphur water, remaining in the original unbroken packages at Thomasville, Ga., alleging that the article had been shipped by Hiers & Corbett, from Perry, Fla., October 29, 1926, and transported from the State of Florida into the State of Georgia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Fenholloway Sulphur * * * Water Bottled by Hiers & Corbett, Route #3, Perry, Fla."

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

On March 29, 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.*