

together with pictorial design of asparagus tips, borne on the label, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of or offered for sale under the name of another article.

On November 3, 1927, the Golden State Asparagus Co., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree of condemnation and forfeiture, judgment was entered ordering 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 \$3,700, conditioned that it be relabeled in a manner approved by this department, and should not be sold or disposed of in violation of the law. On November 19, 1927, the claimant filed an admission of the allegations contained in the libel.

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

**15462. Adulteration of oysters. U. S. v. Bowers Oyster Co. Plea of guilty. Fine, \$20. (F. & D. No. 21578. I. S. No. 13772-x.)**

On April 22, 1927, the United States attorney for the District of Delaware, 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 Bowers Oyster Co., a corporation, Bowers, Del., alleging shipment by said company, in violation of the food and drugs act, on or about October 19, 1926, from the State of Delaware into the State of New York, of a quantity of oysters, which were adulterated.

It was alleged in the information that the article was adulterated, in that a substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the said article purported to be.

On November 7, 1927, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20.

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

**15463. Adulteration of butter. U. S. v. 3 Boxes of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21772. I. S. No. 7824-x. S. No. E-6027.)**

On March 11, 1927, the United States attorney for the District of Maryland, 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 3 boxes of butter, remaining in the original unbroken packages at Baltimore, Md., consigned March 3, 1927, alleging that the article had been shipped by the Fred C. Mansfield Co., Johnson Creek, Wis., from Chicago, Ill., and transported from the State of Illinois into the State of Maryland, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance low in butterfat had been mixed and packed with the said article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

On October 7, 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.*

**15464. Misbranding of butter. U. S. v. 30 Cases of Butter. Product ordered released under bond. (F. & D. No. 21860. I. S. Nos. 15500-x, 15501-x. S. No. C-5451.)**

On April 1, 1927, the United States attorney for the Southern District of Alabama, 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 cases of creamery butter, at Mobile, Ala., alleging that the article had been shipped by the Hanford Produce Co., from Sioux City, Iowa, on or about March 19, 1927, and transported from the State of Iowa into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Retail cartons) "Hanfords Fancy Creamery Butter \* \* \* Hanford Produce Co., Sioux City, Iowa \* \* \* 1 pound net (or "1/4 Lb. Net Weight")."

Misbranding of the article was alleged in the libel for the reason that the statements "1 pound net," and "¼ pound net weight," appearing on the pound and quarter pound cartons, respectively, were false and misleading and deceived and misled the purchaser, and 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 packages, since the quantities stated on the packages, respectively, were not correct.

On April 6, 1927, the James McPhillips Grocery Co., Mobile, Ala., having appeared as claimant for the property, and having admitted the allegations of the libel, judgment was entered ordering that the product be released to the said claimant upon the execution of a bond in the sum of \$1,000, conditioned in part that it be reconditioned, repacked, and relabeled, under the supervision of this department, and it was further ordered by the court that upon the reconditioning of the product and the approval of this department the cause be dismissed at the cost of the claimant.

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

**15465. Adulteration of shredded figs. U. S. v. 35 Bags of Shredded Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22067. I. S. No. 17287-x. S. No. 107.)**

On September 23, 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 35 bags of shredded figs, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Sunland Sales Cooperative Assoc., from Fresno, Calif., August 16, 1927, and transported from the State of California into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Shredded Figs Calimyrna, California Peach & Fig Growers Association, Main Office, Fresno, 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, or putrid vegetable substance.

On December 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.*

**15466. Adulteration of muffin figs. U. S. v. 350 Boxes of Muffin Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22282. I. S. No. 17671-x. S. No. 331.)**

On December 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 350 boxes of muffin figs, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Sunland Sales Cooperative Assoc., Fresno, Calif., alleging that the article had been shipped from Fresno, Calif., on or about December 1, 1927, and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Blue Ribbon Brand Muffin Figs, Produced and Packed by California Peach & Fig Growers Association."

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 vegetable substance, an analysis of a sample showing the product to be insect-infested.

On January 9, 1928, 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.*

**15467. Adulteration of figs. U. S. v. 55 Boxes of Muffin Figs, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 22026, 22075, 22077. I. S. Nos. 12709-x, 12710-x, 13111-x, 13112-x, 13189-x. S. Nos. 67, 118, 124.)**

On August 24, September 30, and October 13, 1927, respectively, the United States attorney for the District of Colorado, 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 55 boxes of muffin