

It was alleged in the libels that the articles were adulterated in that a substance, foreign fat, had been substituted wholly or in part for the articles, and had been mixed and packed therewith so as to reduce, lower, or injuriously affect their quality or strength.

Misbranding was alleged for the reason that the statements, "Chocolates" and "Chocolate," borne on the labels, were false and misleading and deceived and misled the purchaser, and for the further reason that the articles were offered for sale under the distinctive names of other articles.

On July 15, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16828. Adulteration of butter. U. S. v. 31 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24043. I. S. Nos. 011505, 011506. S. No. 2251.)

On August 26, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 31 tubs of butter, remaining in the original unbroken packages at Springfield, Mass., consigned about August 12, 1929, alleging that the article had been shipped by the Ludington Farmers Creamery Association, Augusta, Wis., and transported from the State of Wisconsin into the State of Massachusetts, 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, which the article purported to be, the act of Congress approved March 4, 1923, providing that butter contain not less than 80 per cent of milk fat.

On October 17, 1929, the Russell Corners Creamery Co., Augusta, Wis., 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 costs and the execution of a bond in the sum of \$2,000, conditioned in part that it be reworked under the supervision of this department so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16829. Adulteration and misbranding of grape juice. U. S. v. 300 Cases, et al., of Grape Juice. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23914, 23915. I. S. Nos. 05979, 05980, 06026. S. Nos. 2110, 2130.)

On August 5, 1929, the United States attorney for the Northern District of California, 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 390 cases containing pint-size bottles, 35 cases containing 4-ounce-size bottles, and 63 cases containing quart-size bottles of grape juice, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Island Belle Grape Juice Co., Grapeview, Wash., in various consignments, on or about April 25, July 13, and July 16, 1929, respectively, and transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Island Belle Grape Juice * * * Island Belle Grape Juice Co., Inc., Grapeview, Wash."

It was alleged in the libel that the article was adulterated in that water had been mixed and packed with and substituted in part for grape juice which the said article purported to be.

Misbranding was alleged for the reason that the designations "Grape Juice," borne on the labels, were false and misleading and deceived and misled the purchaser when applied to a grape juice containing added water, and for the further reason that the article was offered for sale under the distinctive name of another article. It was also alleged in the libel that the quart-size bottles of the article were further misbranded in that the label bore the following statements regarding the curative and therapeutic effects of the said article: "Grape Juice is a particularly wonderful solvent. It thins and stimulates the blood, opening the way into capillaries already dried and choked up—i.