

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

On September 11, 1929, Wm. M. Lippincott Co., 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 costs and the execution of a bond in the sum of \$300, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16832. Adulteration and misbranding of olive oil. U. S. v. 58 Cans of Olive Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23981. I. S. No. 018391. S. No. 2246.)

On September 5, 1929, the United States attorney for the District of Colorado, 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 58 cans of olive oil, remaining in the original cans at Denver, Colo., consigned by S. Savona, New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about July 27, 1929, and transported from the State of New York into the State of Colorado, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Superfine Olive Oil Imported Italia Brand Lucca Italia Net Contents One Gallon."

It was alleged in the libel that the article was adulterated in that a substance, cottonseed oil, had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the statements, "Superfine Olive Oil Imported Italia Brand Lucca Italia Net Contents One Gallon," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, and for the further reason that it was food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents, since the statement made was incorrect.

On October 11, 1929, Maria Florey, Denver, Colo., claimant, 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 claimant upon payment of costs and the execution of a bond in the sum of \$200, conditioned in part that it be relabeled, under the supervision of this department, to show the correct contents of said cans and the quantity.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16833. Adulteration of butter. U. S. v. 163 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24029. I. S. No. 011859. S. No. 2194.)

On August 1, 1929, the United States attorney for the Northern District of Illinois, 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 163 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Western Creameries (Inc.), from Coffeyville, Kans., July 15, 1929, and transported from the State of Kansas into the State of Illinois, 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 substance, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, in that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the article, in that a valuable constituent, butterfat, had been in part abstracted from the said article, and in that it contained less than 80 per cent of butterfat.

On September 24, 1929, the Western Creamery Co., Coffeyville, Kans., claimant, 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