

that the statement of the quantity of contents appearing on the label was made in terms of weight instead of liquid measure, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of California.

On June 9, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 50 cases of canned grapefruit juice, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Polk Co., from Haines City, Fla., on or about April 2, 1931, and had been transported from the State of Florida 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: "Commonwealth Brand Florida Grapefruit Juice * * * Contents 8 Oz. or 227 Grams Distributed by the Commonwealth Packing Co., San Francisco, Calif."

It was alleged in the libel that the article was adulterated in that added sugar had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement on the can label, "Grapefruit Juice," was 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, to wit, grapefruit juice; and for the further reason that it was food in package form and failed to bear a plain and conspicuous statement on the outside of the package of the quantity of the contents, since the statement was made in terms of weight instead of liquid measure.

On June 24, 1931, the Public Food Stores (Inc.), San Francisco, Calif., having appeared as claimant for the property 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 \$150, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18719. Adulteration of butter. U. S. v. 8 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25046. I. S. No. 162. S. No. 3311.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard provided by act of Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of California.

On July 24, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of eight cubes of butter, remaining in the original unbroken packages at Oakland, Calif., alleging that the article had been shipped by the Bandon Cheese & Produce Co., from Marshfield, Oreg., on or about July 15, 1930, and had been transported from the State of Oregon into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Bandon Creamery #4 Bandon, Oregon."

It was alleged in the libel that the article was adulterated in that a substance deficient in milk fat had had been substituted wholly or in part for the said article.

On July 31, 1930, the Bandon Creamery, Bandon, Oreg., having appeared as claimant for the property 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 \$185, conditioned in part that it be made to conform to the provisions of the Federal food and drugs act, under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18720. Adulteration and misbranding of olive oil. U. S. v. 56 Cans of Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 26449. I. S. No. 30706. S. No. 4745.)

Examination of samples of olive oil from the shipment herein described having shown that the article contained cottonseed oil, and that the cans contained less than the declared volume, the Secretary of Agriculture reported the matter to the United States attorney for the Middle District of Pennsylvania.