

misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Creamery Butter."

Misbranding of the article was alleged in the libel for the reason that each of the packages did not weigh 1 pound net or $\frac{1}{4}$ pound net, as stated upon the labels of the packages, but contained materially less than 1 pound or $\frac{1}{4}$ pound, as stated on the label. Misbranding of the article was alleged for the further reason that the statement on the packages that the weight of said packages was 1 pound net or $\frac{1}{4}$ pound net was false and misleading in that the weight of each of the said packages was materially less than 1 pound net or $\frac{1}{4}$ pound net. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight.

On May 15, 1919, the said Lexington Creamery Co. having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2000, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7340. Adulteration of walnut meats. U. S. * * * v. 7 Barrels of Walnut Meats. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. Nos. 10482, 10483. I. S. Nos. 2028-r, 2029-r. S. No. W-397.)

On or about June 2, 1919, 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 for the seizure and condemnation of 7 barrels of walnut meats, consigned by the American Fruit Distributors, Wilmington, Calif., remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on or about May 5, 1919, and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On July 31, 1919, the Parisian Chocolate Co. and the Queen Anne Candy Co., Seattle, Wash., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the good portion of the product be released to said claimants upon the execution of a bond in the aggregate sum of \$550, in conformity with section 10 of the act, and that the unfit portion be destroyed by the United State marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7341. Misbranding of olive oil. U. S. * * * v. 28 Cans of Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. Nos. 10484, 10485, 10486. I. S. Nos. 12941-r, 12942-r, 12943-r, 12944-r. S. No. E-1478.)

On June 3, 1919, 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 said district a libel of information praying the seizure and condemnation of 28 cans of olive oil, consigned on April 29, 1919, at Peabody, Mass., alleging that the article had been shipped by Spiropulos & Theodore, New York, N. Y., and transported from the State of New York into the Commonwealth of Massachusetts, and charging misbranding in violation

of the Food and Drugs Act, as amended. The cans were variously labeled in part, "Greek National Brand * * * Olive Oil Net Contents 1 Gal.," or "Pure Olive Oil Sopraffino Italia Brand Lucca Toscana Italia Net Contents ½ Gallon," or "½ Gallon Net Purissimo Olio di Bitonto-Bar."

Misbranding of the article was alleged in the libel of information for the reason that the statements borne on the cans as to the net contents of each can were false and misleading and deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously declared.

On September 5, 1919, 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 sold by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7342. Adulteration and misbranding of olive oil. U. S. * * * v. 23 Cans of Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 10487. I. S. No. 12944-r. S. No. E-1478.)

On June 3, 1919, 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 said district a libel of information praying the seizure and condemnation of 23 cans of olive oil, consigned on April 29, 1919, at Peabody, Mass., alleging that the article had been shipped by Spiropulos & Theodore, New York, N. Y., and transported from the State of New York into the Commonwealth of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Olio Puro La Vittoria Degli Alleati Brand (map of Italy and woman holding Italian flag) Pure Salad Oil flavored slightly with pure Olive Oil Net Contents Half Gallon Packed by Spiropulos and Theodore, New York, U. S. A."

Adulteration of the article was alleged in the libel of information for the reason that cottonseed and corn oils had been packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for olive oil.

Misbranding of the article was alleged for the reason that the designs and devices appearing on the labels were false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously declared on the cans.

On September 5, 1919, 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 sold by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7343. Adulteration and misbranding of butter. U. S. * * * v. 30 Boxes * * * of Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10317. I. S. No. 15749-r. S. No. E-1435.)

On May 17, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District a libel for the seizure and condemnation of 30 boxes, each containing 30 1-pound prints of butter, remaining unsold in the original