

said so as to deceive and mislead the purchaser into the belief that each of the said packages contained 1 pound net of the article, whereas, in truth and in fact, each of said packages did not contain 1 pound net of the said article but did contain a less amount. Misbranding was alleged 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 package.

On January 10, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12163. Adulteration and alleged misbranding of butter. U. S. v. 48 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 18409. I. S. No. 17625-v. S. No. C-4295.)

On February 23, 1924, 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 the seizure and condemnation of 48 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by Reed's Creamery Co., from Randolph, Nebr., February 6, 1924, and transported from the State of Nebraska into the State of Illinois, 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, to wit, excessive water, had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the article, and for the further reason that a valuable constituent of the said article, to wit, butterfat, had been in part abstracted therefrom.

Misbranding was alleged for the reason that the statement, "Butter," appearing on the labels, was false and misleading and deceived and misled the purchaser.

On February 26, 1924, the Reed's Creamery Co., Randolph, Nebr., claimant, having admitted the material allegations of the libel and consented to the entry of a decree, judgment of the court was entered finding the product to be adulterated and ordering that it be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12164. Misbranding of strawberries. U. S. v. James Daniel Bonds and Howard Joseph Foltz (J. D. Bonds & Co.). Pleas of guilty. Fine, \$10 and costs. (F. & D. No. 16843. I. S. No. 4655-t.)

At the November, 1922, term of the United States District Court within and for the Western District of Tennessee, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the district court aforesaid an information against James Daniel Bonds and Howard Joseph Foltz, copartners, trading as J. D. Bonds & Co., Dyer, Tenn., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about May 17, 1922, from the State of Tennessee into the State of Missouri, of a number of crates containing strawberries which were misbranded. The article was labeled in part: "From J. D. Bonds."

Misbranding of the article was alleged in the information for the 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.

On April 23, 1923, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10 and costs.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12165. Adulteration of canned salmon. U. S. v. 243 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17863. I. S. No. 20683-v. S. No. W-1427.)

On October 19, 1923, 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 the

seizure and condemnation of 243 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Hidden Inlet Canning Co., from Hood Bay, Alaska, September 19, 1923, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Celebration Brand * * * Cohoe Salmon Packed By Hidden Inlet Canning Co."

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

On December 26, 1923, the Hidden Inlet Canning Co., Seattle, Wash., claimant, having admitted the allegations of the libel and 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 the costs of the proceedings and the execution of a bond in the sum of \$1,215, in conformity with section 10 of the act, conditioned in part that the good portion be separated from the bad portion, under the supervision of this department, the good portion released and the bad portion destroyed.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12166. Adulteration of canned salmon. U. S. v. 731 Cases and 378 Cases of Salmon. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 17715, 17825. I. S. Nos. 11494-v, 12053-v. S. Nos. W-1405, W-1418.)

On August 15 and September 14, 1923, respectively, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 1,109 cases of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Consolidated Canneries Co., from Quadra, Alaska in part March 25 and in part July 20, 1923, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: (Case) "Ala. Con. Canneries, Quadra, Alaska;" (can) "Tryet Brand * * * Pink Salmon Packed In Alaska By Southern Alaska Canning Co., Main Office Seattle, Wash." The remainder of the article was labeled in part: (Case) "Blue Funnel Brand Pink Salmon Packed By Alaska Pacific Fisheries, Seattle, Wash.;" (can) "Blue Funnel Brand * * * Pink Salmon."

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On January 8 and 11, 1924, respectively, the Southern Alaska Canning Co., Seattle, Wash., claimant, having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the good portion be separated from the bad under the supervision of this department, and the good portion released and the bad portion destroyed.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12167. Adulteration and misbranding of Laymo poultry feed. U. S. v. Francis X. Murphy, P. J. Shouplin, and Edgar Lang (Superior Feed Co.). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 17709. I. S. No. 10726-v.)

On November 12, 1923, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Francis X. Murphy, P. J. Shouplin, and Edgar Lang, trading as the Superior Feed Co., Memphis, Tenn., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 26, 1922, from the State of Tennessee into the State of Mississippi, of a quantity of Laymo poultry feed, which was adulterated and misbranded. The article was labeled in part: (Tag) "100 Pounds Net When Packed Laymo Poultry Feed Manufactured By The Superior Feed Co. Memphis - Tenn * * * Ingredients Corn, Oats, Wheat, Kaffir, Milo Maize, Barley."