

Adulteration of the article was alleged in the libel for the reason that a product deficient in milk fat and high in moisture had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that a valuable constituent of the article, namely, butterfat, had been abstracted therefrom.

On September 15, 1924, the W. A. Deems Commission Co., St. Louis, Mo., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a good and sufficient bond, in conformity with section 10 of the act, conditioned in part that the product should be reworked so that it should have a butterfat content of not less than 80 per cent and a moisture content of not to exceed 15.9 per cent.

HOWARD M. GORE, *Secretary of Agriculture.*

12722. Adulteration and misbranding of cheese. U. S. v. 2 Boxes, et al., of Cheese. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 18778, 18779. I. S. Nos. 17784-v, 17785-v. S. Nos. C-4409, C-4410.)

On June 6, 1924, the United States attorney for the Eastern District of Missouri, 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 6 boxes of cheese, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Chicago Cheese & Farm Products Co., Chicago, Ill. on or about June 3, 1924, and transported from the State of Illinois into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Retail package) "Daisy Brand Farmer Cheese Chicago Cheese & Farm Products Co."

Adulteration of the article was alleged in the libel for the reason that foreign fat had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Cheese," borne on the label, was false and misleading and deceived and misled the purchaser. 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 July 9, 1924, 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 destroyed by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture.*

12723. Adulteration and misbranding of butter. U. S. v. 77 Boxes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17622. I. S. No. 681-v. S. No. E-4430.)

On July 2, 1923, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying the seizure and condemnation of 77 boxes, each containing 30 1-pound cartons of butter, in quarters, remaining in the original unbroken packages at Washington, D. C., alleging that the article was being offered for sale and sold in the District of Columbia, by the Cudahy Packing Co., and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Carton) "One Pound Net Creamery Butter."

Adulteration of the article was alleged in the libel for the reason that excessive moisture had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in whole or in part for butter, which the said article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, butterfat, had been in whole or in part abstracted.

Misbranding was alleged for the reason that the statement, to wit, "Butter," borne on the cartons containing the article, was false and misleading in that the said statement represented that the cartons contained butter, and for the further reason that the said cartons were labeled "Butter," so as to deceive and mislead the purchaser into the belief that they contained butter, whereas they did not contain butter but contained a product containing excessive moisture and deficient in butterfat.

On July 23, 1923, the Cudahy Packing Co., 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 the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

HOWARD M. GORE, *Secretary of Agriculture.*

12724. Adulteration of canned salmon. U. S. v. 1,015 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14210. I. S. No. 10558-t. S. No. W-336.)

On January 20, 1921, 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 1,015 cases of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Olympic Fisheries Co., from Ketchikan, Alaska, on or about August 28, 1920, and transported from the Territory of Alaska 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 wholly or in part of a filthy, decomposed, and putrid animal substance.

On June 23, 1924, the Olympic Fisheries Co., 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 \$1,000, in conformity with section 10 of the act, conditioned in part that it be sorted under the supervision of this department, the bad portion destroyed and the good portion released to the said claimant.

HOWARD M. GORE, *Secretary of Agriculture.*

12725. Adulteration and misbranding of molasses. U. S. v. William H. Burns and William J. Campbell (Atlantic Syrup Refining Co.). Plea of nolo contendere. Fine, \$25. (F. & D. No. 18736. I. S. Nos. 937-v, 956-v, 957-v, 11008-v.)

On August 6, 1924, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William H. Burns and William J. Campbell, copartners, trading as the Atlantic Syrup Refining Co., Philadelphia, Pa., alleging shipment by said defendants, in violation of the food and drugs act, in various consignments, namely, on or about March 29, October 20, October 23, and November 28, 1923, respectively, from the State of Pennsylvania into the State of North Carolina, of quantities of molasses which was adulterated and misbranded. The article was labeled in part: (Barrel) "Atlantic's Fancy." A portion of the said barrels were further labeled: "Atlantic Syrup Refining Co Phila Pa." A portion of the article was billed as "Atlantic" (or "Atlantic's") "Fancy Molasses."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained approximately 40 per cent of added glucose.

Adulteration of the article was alleged in the information for the reason that a product containing commercial glucose, deficient in sucrose and below the standard for either fancy sirup or molasses, had been substituted for fancy molasses, which the said article purported to be. Adulteration was alleged for the further reason that the commercial glucose had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, fancy molasses.

On September 23, 1924, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$25.

HOWARD M. GORE, *Secretary of Agriculture.*