

ing was alleged with respect to the product contained in the pails and in the said portion of the boxes 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.

On September 19, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$80.

W. M. JARDINE, *Secretary of Agriculture.*

12802. Adulteration of butter. U. S. v. 35 Boxes of Butter. Product released under bond to be reworked. (F. & D. No. 18915. I. S. No. 11628-v. S. No. W-1541.)

On or about July 30, 1924, the United States attorney for the Southern District of California, 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 35 boxes of butter, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Northern Creamery Co., Great Falls, Mont., alleging that the article had been shipped from Great Falls, Mont., on or about July 8, 1924, and transported from the State of Montana into the State of California, 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 product deficient in milk fat had been substituted wholly or in part for butter, and for the further reason that a valuable constituent, namely, milk fat, had been partially abstracted therefrom.

On September 4, 1924, the Stanley Brokerage Co., Los Angeles, Calif., having appeared as claimant for the property, and the product having theretofore been released under bond to the said claimant and reworked and returned so that it met the requirements of the act, a final decree was entered, dismissing the libel and ordering that the Government recover its costs.

W. M. JARDINE, *Secretary of Agriculture.*

12803. Misbranding of butter. U. S. v. Sugar Creek Creamery Co., a Corporation. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 18571. I. S. No. 2238-v.)

On June 24, 1924, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sugar Creek Creamery Co., a corporation, Danville, Ill., alleging shipment by said company, in violation of the food and drugs act as amended, on or about June 19, 1923, from the State of Illinois into the State of Pennsylvania, of a quantity of butter which was misbranded. The article was labeled in part: "Cloverdale Pure Creamery One Pound Net."

Examination by the Bureau of Chemistry of this department of a sample consisting of 105 packages of the article showed that the average net weight of the packages examined was 15.67 ounces.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "One Pound Net," borne on the packages containing the article, was false and misleading, in that the said statement represented that each of the packages contained 1 pound of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said packages contained 1 pound net of butter, whereas, in truth and in fact, each of said packages did not contain 1 pound net of butter 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 September 12, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

12804. Adulteration of canned salmon. U. S. v. 817 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18857. I. S. No. 20694-v. S. No. W-1532.)

On July 24, 1924, 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 817 cases of canned salmon, remaining in the origi-