

the said tablets contained little, if any, lutein or *corpora lutea*. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale and sold under the name of another article, to wit, 5-grain lutein (*corpus luteum*) tablets.

On October 27, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

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

**12822. Misbranding of feed tankage. U. S. v. 360 Sacks of Feed Tankage. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 19053. I. S. No. 22008-v. S. No. C-4465.)

On August 20, 1924, the United States attorney for the District of Kansas, 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 360 sacks of feed tankage at Goodland, Kans., alleging that the article had been shipped by the Ruedy Products Co., Denver, Colo., on or about August 9, 1924, and transported from the State of Colorado into the State of Kansas, and charging misbranding in violation of the food and drugs act as amended.

Misbranding of the article was alleged in the libel for the reason that the packages containing the article were labeled as containing 100 pounds net weight, whereas, in truth and in fact, the said packages contained a materially less amount than 100 pounds net weight.

On September 5, 1924, the Ruedy Products Co., Denver, Colo., 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 the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that it be rebranded to show the true contents of the said sacks.

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

**12823. Misbranding of butter. U. S. v. 10 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 18935. I. S. No. 20409-v. S. No. W-1548.)

On or about August 13, 1924, the United States attorney for the Northern 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 10 cases of butter, at San Francisco, Calif., alleging that the article had been shipped by the Makins Produce Co., from San Francisco, Calif., July 29, 1924, and transported from the State of California into the Territory of Hawaii (returned to San Francisco), and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Net Weight One Pound Blanchard Brand Pasteurized Butter Packed and Guaranteed by Makins Produce Co. San Francisco."

Misbranding of the article was alleged in the libel for the reason that the statement "Net Weight One Pound" was false and misleading and deceived and misled the purchaser, and 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 18, 1924, the Makins Produce Co., 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 the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act, conditioned in part that it be brought into compliance with the law under the supervision of this department.

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

**12824. Adulteration and misbranding of flour. U. S. v. 1,000 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 17277. I. S. No. 8472-v. S. No. W-1315.)

On February 13, 1923, the United States attorney for the Northern 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 1,000 sacks of flour, remaining in the original unbroken packages at Sacramento, Calif., alleging that the article had been shipped by the H. D. Lee Flour Mills Co. from Salina, Kans., December 13, 1922, and transported from the State of Kansas 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: "The H. D. Lee Flour Mills Company The Admiral Salina, Kansas Bleached 98 Lbs When Packed."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "98 Lbs," appearing on the sacks containing the article, 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 June 23, 1923, the Perfection Bread Co., Sacramento, 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 the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the product be brought into compliance with the act under the supervision of this department.

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

**12825. Misbranding of butter. U. S. v. 2 Cases of Butter. Default decree of condemnation, forfeiture, and sale.** (F. & D. No. 18971. I. S. No. 20408-v. S. No. W-1549.)

On or about August 13, 1924, the United States attorney for the Northern 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 2 cases of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Western Meat Co., July 26, 1924, and transported from the State of California into the Territory of Hawaii (returned from Honolulu to San Francisco, Calif.), and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Parkdale Brand Creamery Butter Pasteurized 1 Pound Net Weight Distributed by Western Meat Co. San Francisco."

Misbranding of the article was alleged in the libel for the reason that the statement "1 Pound Net Weight," borne on the labels, was false and misleading and deceived and misled the purchaser, and 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 October 29, 1924, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be sold by the United States marshal.

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

**12826. Adulteration of ground marjoram. U. S. v. 1 Drum of Ground Marjoram. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 18810. I. S. No. 18438-v. S. No. C-4425.)

On June 26, 1924, the United States attorney for the Southern District of Ohio, 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 drum of marjoram, at Cincinnati, Ohio, consigned by Arbuckle Bros., Chicago, Ill., June 11, 1924, alleging that the article had been shipped from Chicago, Ill., and transported from the State of Illinois into the State of Ohio, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that excessive ash and sand had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and had been substituted wholly or in part for the said article.

On October 20, 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.

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