

seeds and stems had been mixed and packed with the said article so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the designation "Sample Oats" was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On April 28, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13349. Adulteration and misbranding of butter. U. S. v. 12 Tubs and 10 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 20019. I. S. No. 13612-v. S. No. E-5278.)

On April 7, 1925, the United States attorney for the Southern District of New York, 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 22 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the McDougall Terminal Warehouse Co., Duluth, Minn., on or about March 27, 1925, and transported from the State of Minnesota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat and containing excessive moisture had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength and had been substituted in whole or in part for the said article.

Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On April 28, 1925, the Fox River Butter Co., Inc., New York, N. Y., 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 \$660, in conformity with section 10 of the act, conditioned in part that it be reprocessed so as to contain at least 80 per cent of butterfat.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13350. Adulteration and misbranding of canned corn. U. S. v. 99 Cases of Canned Corn. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19982. I. S. No. 23930-v. S. No. C-4707.)

On April 9, 1925, 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 99 cases of canned corn, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by John M. Leslie & Co., from London, Ohio, December 17, 1924, and transported from the State of Ohio into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Oak Run Sugar Corn * * * Packed By London Canning Company London, Ohio."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, field corn, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Sugar Corn," appearing on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On May 6, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*