

of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$400, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13792. Misbranding of butter. U. S. v. 30 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond**  
(F. & D. No. 20402. I. S. No. 119-x. S. No. W-1768.)

On August 18, 1925, 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 30 cases of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been prepared for shipment by the Consolidated Dairy Products Co., Seattle, Wash., in interstate commerce from the State of Washington into the Territory of Alaska, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Two-pound tin) "Darigold Brand Creamery Butter Two Pounds Net Best Creamery Butter Manufactured By United Dairy Association Of Washington, Seattle, Wash."

It was alleged in the libel that the article was misbranded under section 8 of said act, paragraphs 2 and 3, under "Food," in that it was short weight.

On September 9, 1925, the Consolidated Dairy Products Co., Seattle, Wash., claimant, having admitted the allegations of the libel 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 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 relabeled under the supervision of this department, to show the correct weight.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13793. Misbranding of tankage. U. S. v. 290 Sacks of Hyklass Digester Tankage. Default decree of condemnation, forfeiture, and sale.**  
(F. & D. No. 18532. I. S. No. 17713-v. S. No. C-4324.)

On April 16, 1924, the United States attorney for the Southern District of Iowa, 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 290 sacks of Hyklass digester tankage, remaining in the original unbroken packages at Mount Pleasant, Iowa, alleging that the article had been shipped by the Rogers By-Products Co., Aurora, Ill., on or about February 27, 1924, and transported from the State of Illinois into the State of Iowa, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Hyklass Digester Tankage Guaranteed Analysis Protein 60% \* \* \* Made By Rogers By-Products Co., Aurora, Ill."

Misbranding of the article was alleged in the libel for the reason that the designation "Protein 60%," borne on the label, was false and misleading and deceived and misled the purchaser, since the said article contained less than 60 per cent of protein.

On November 13, 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 sold without label by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13794. Misbranding of evaporated apples. U. S. v. 64 Cases of Evaporated Apples. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 19954. I. S. No. 16404-v. S. No. E-5265.)

On April 6, 1925, the United States attorney for the Southern District of Florida, 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 64 cases of evaporated apples, remaining in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped by the Aspegren Fruit Co., from Sodus, N. Y., in various consignments, namely, on or about November 24 and December 4 and 12, 1924, respectively, and transported from the State of New York into the State of Florida, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Victor Brand Evaporated Apples

On July 29, 1925, the King Ice Cream Co., Mobile, Ala., having appeared as claimant for the property and having paid the costs of the proceedings and executed good and sufficient bonds as required by law, decrees of the court were entered, ordering that the product be released to the said claimant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13797. Misbranding of meat scrap. U. S. v. 26 Sacks of Meat Scrap. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20331. I. S. No. 8652-x. S. No. E-5452.)**

On August 10, 1925, the United States attorney for the District of Maryland, 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 26 sacks of meat scrap, remaining in the original unbroken packages at Germantown, Md., consigned on or about July 2, 1925, alleging that the article had been shipped by F. W. Bolgiano, Washington, D. C., and transported from the District of Columbia into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Bone & Meat Scrap Guaranteed Analysis Protein 50% \* \* \* Manufactured For F. W. Bolgiano & Co., Washington, D. C."

Misbranding of the article was alleged in the libel for the reason that the statement "Guaranteed Analysis Protein 50%," borne on the labels, was false and misleading and deceived and misled the purchaser, in that the said statement represented that the article contained 50 per cent of protein, whereas, in truth and in fact, it contained a less amount.

On September 11, 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13798. Misbranding of concentrated buttermilk. U. S. v. 380 Cases of Concentrated Buttermilk. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19048. I. S. No. 18616-v. S. No. C-4499.)**

On October 9, 1924, the United States attorney for the District of Minnesota, 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 380 cases of concentrated buttermilk, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Consolidated Products Co., from Milwaukee, Wis., on or about February 8, 1924, and transported from the State of Wisconsin into the State of Minnesota, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Hunt's Concentrated Buttermilk \* \* \* Manufactured By Consolidated Products Co., Chicago. Minimum Net Weight Seven Pounds, Eight Ounces."

Misbranding of the article was alleged in the libel for the reason that the statement "Minimum Net Weight Seven Pounds, Eight Ounces," borne on the labels, was false and misleading and deceived and misled the purchaser, and 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 22, 1925, the Consolidated Products Co., Chicago, Ill., 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 payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, said decree further providing that the product be relabeled in compliance with the law.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13799. Adulteration of Nectar Pinita (pineapple nectar). U. S. v. Rafael Cabanas (La Oriental Carbonic Water Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 19597. I. S. No. 3548-v.)**

On March 16, 1925, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Rafael Cabanas, trading as La Oriental Carbonic Water Co., Santurce, P. R., alleging that on or about March 28, 1924, the said defendant did manufacture in the Territory of Porto Rico a quantity of Nectar Pinita (pineapple nectar) which was adul-