

15483. Adulteration of fig bars. U. S. v. 146 Boxes of Fig Bars. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22273. I. S. No. 12752-x. S. No. 317.)

On or about December 9, 1927, the United States attorney for the Eastern 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 seizure and condemnation of 146 boxes of fig bars, remaining in the original unbroken packages at Spokane, Wash., alleging that the article had been shipped by the Old Mission Fig Bar Company, from Oakland, Calif., on or about November 11, 1927, and transported from the State of California into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Old Mission Fig Bars Made by Mother's Cooky Co., Oakland Calif."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On January 5, 1928, 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.*

15484. Misbranding of cottonseed meal. U. S. v. 142 Bags of Cottonseed Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21745. I. S. No. 6349-x. S. No. E-6068.)

On March 22, 1927, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 142 bags of cottonseed meal, remaining unsold at Coochs Bridge, Del., alleging that the article had been shipped by the Greenville Oil Works from Greenville, Miss., on or about December 24, 1926, and transported from the State of Mississippi into the State of Delaware, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Guaranteed Analysis Protein not less than 41.00%, Fat not less than 6.00%, Fibre not more than 10.00%."

It was alleged in the libel that the article was misbranded, in that the statements "Guaranteed Analysis Protein not less than 41.00%, Fat not less than 6.00%, Fibre not more than 10.00%," borne on the label, were false and misleading and deceived and misled the purchaser.

On July 11, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the 5 bags of the product seized be destroyed by the United States marshal.

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

15485. Misbranding of butter. U. S. v. 102 Cases, et al., of Butter. Product ordered released under bond. (F. & D. No. 22029. I. S. Nos. 15521-x, 15522-x, 15523-x. S. No. 65.)

On or about July 28, 1927, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 239 cases of butter, remaining in the original packages at Mobile, Ala., alleging that the article had been shipped by Armour & Co., from Meridian, Miss., on or about July 21, 1927, and transported from the State of Mississippi into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part, variously: (Retail cartons) "Armour's Cloverbloom Pasteurized Creamery Butter. Distributed by Armour Creameries, General Offices, Chicago, One Pound Net Weight;" "Morris' Supreme Pasteurized Creamery Butter One Pound Net Weight;" "Quality Hill Creamery Butter, pasteurized. Friedman Mfg. Co., exclusive distributors, Norfolk, Va., 1 Lb. Net Weight."

Misbranding of the article was alleged in the libel for the reason that the statements "One Pound Net Weight," appearing on the retail cartons of the "Cloverbloom" and "Morris' Supreme" brands, and "1 Lb. Net Weight" appearing on the retail cartons of the "Quality Hill" brand, were 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, since the cartons contained less than the quantity stated.