

teration in violation of the food and drugs act. The article was labeled in part: "Summer Girl Brand Spinach."

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

On July 23, 1928, by consent of the claimant, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16009. Misbranding of butter. U. S. v. 110 Cases of Butter. Decree of condemnation and forfeiture entered. Product released under bond.** (F. & D. No. 23129. I. S. Nos. 0838, 0839, 0840. S. No. 1194.)

On or about September 7, 1928, the United States attorney for the Eastern District of Louisiana, 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 110 cases of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Manning Creamery Co., from Manning, Iowa, on or about August 2, 1928, and transported from the State of Iowa into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended. A portion of the article consisted of plain wrapped quarters labeled (shipping carton) "Quarters," and invoiced "25-30# Boxes 1/4# P. W." A portion of the article consisted of plain wrapped solids labeled (shipping carton) "1 Lb. Solids." A portion of the article consisted of quarters labeled (shipping carton) "Quarters," (retail carton) "Pfeifer's Elegant Creamery Butter Quarter Prints One Pound Net Farmers Co-Operative Creamery Co."

It was alleged in the libel that the article was misbranded in that the statement "Quarters," with respect to the plain wrapped quarters, the statement "1 Lb. Solids," with respect to the plain wrapped solids, and the statements "Quarters" and "One Pound Net," with respect to the "Elegant Brand," were false and misleading and deceived and misled the purchaser, and in 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 packages, and in that the quantities stated on the said packages were not correct.

On September 14, 1928, Gerde, Newman & Co., New Orleans, La., having appeared as claimant for the property, 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 costs and the execution of a bond in the sum of \$2,000, conditioned in part that it be repacked, and should not be used or disposed of without having been inspected by a representative of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16010. Adulteration of butter. U. S. v. 8 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 23080. I. S. No. 0218. S. No. 1107.)

On or about August 16, 1928, 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 seizure and condemnation of 8 cubes of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Commercial Creamery Co., Baker, Oreg., August 7, 1928, and transported from the State of Oregon into the State of Washington, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted for butter.

On August 29, 1928, the Commercial Creamery Co., Baker, Oreg., 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 costs and the execution of a bond in the sum of \$500, conditioned in part that it be repacked under the supervision of this department, and should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*