

rected by the statement "Made in U. S. A." in inconspicuous type in an inconspicuous place, together with the design and device of a woman attired in Italian colors, borne on the said cans, were false and misleading in that they represented that the article was a foreign product, to wit, an olive oil produced at Messina, Italy, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a foreign product, to wit, an olive oil produced at Messina, Italy, whereas it was not, but was a domestic product, to wit, an article composed in part of cottonseed oil produced in the United States of America. Misbranding of the salad oil was alleged for the further reason that it purported to be a foreign product when not so. Misbranding of the olive oil was alleged for the reason that the statement, to wit, "Net Contents One Full Gallon," borne on the can label, was false and misleading in that it represented that each of the said cans contained 1 full gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the cans contained 1 full gallon net of the article, whereas each of said cans did not contain 1 full gallon net of the article, but did contain a less amount. Misbranding was alleged with respect to both products for the further reason that they were foods in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On April 1, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16313. Adulteration of butter. U. S. v. 8 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23607. I. S. No. 05965. S. No. 1800.)

On March 11, 1929, 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 seizure and condemnation of 8 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Sheridan Creamery Co., from Portland, Oreg., March 5, 1929, and transported from the State of Oregon into the State of California, 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 March 15, 1929, the Sheridan Creamery, Portland, Oreg., 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 costs and the execution of a bond in the sum of \$250, conditioned in part that it be made to conform with the provisions of the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16314. Adulteration of canned sardines. U. S. v. 33 Cases of Sardines. Default decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23009. I. S. No. 02319. S. No. 1095.)

On August 27, 1928, the United States attorney for the Eastern District of South Carolina, 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 33 cases of sardines, remaining in the original unbroken packages at Beaufort, S. C., alleging that the article had been shipped by the Haas Guthman Co., from Savannah, Ga., January 25, 1928, and transported from the State of Georgia into the State of South Carolina, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "White Star Brand Tinapa Sardines. * * * Originated and Packed By Exclusively Van Camp Sea Food Co., Inc., * * * Los Angeles Harbor, California, U. S. A."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On October 20, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*