

Adrian Creamery Co., from Adrian, Minn., August 20, 1929, and transported from the State of Minnesota into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that excessive water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, in that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the article, in that a valuable constituent, butterfat, had been in part abstracted from the said article, and in that it contained less than 80 per cent of butterfat.

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

On September 20, 1929, the Peter Fox & Sons Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product adulterated and ordering its condemnation and forfeiture, and it was further ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it be re-processed, under the supervision of this department, so that it contain not less than 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16758. Adulteration and misbranding of maple sugar cakes. U. S. v. 40 Boxes of Maple Sugar Cakes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23917. I. S. No. 010629. S. No. 2132.)

On August 7, 1929, 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 seizure and condemnation of 40 boxes of maple sugar cakes, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Vermont Maple Sugar & Syrup Co., from New Haven, Conn., on or about June 19, 1929, and transported from the State of Connecticut into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that cane and brown sugar had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted in part for maple sugar cakes, which the said article purported to be. Adulteration was alleged for the further reason that the article had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statements on the labels, "Made with Maple Sugar Fresh from the Hills of Vermont. As pure as the Heavens above. Vermont Maple Sugar and Syrup Co.," were false and misleading and deceived and mislead the purchaser when applied to an article containing added cane and brown sugar. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article, and for the further reason that it was food in package form and failed to bear a plain and conspicuous statement of the net weight.

On August 30, 1929, 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.*

16759. Adulteration and misbranding of butter. U. S. v. 23 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24066. I. S. No. 021121. S. No. 2255.)

On August 23, 1929, 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 seizure and condemnation of 23 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Northwest Dairy Forwarding Co., from Duluth, Minn., on or about August 21, 1929, 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.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

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

On September 5, 1929, the Rose Cooperative Creamery Co., Rose Corners, Minn., 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 \$600, conditioned in part that it be reworked and reprocessed so that it comply with the law. The claimant further agreed that the reconditioned product should contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16760. Adulteration and misbranding of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24060. I. S. No. 021112. S. No. 2222.)

On August 23, 1929, 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 seizure and condemnation of 12 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Strandquist Creamery Co., from Strandquist, Minn., on or about August 8, 1929, 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.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

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

On September 3, 1929, the Minnesota Cooperative Dairies Association, Owatonna, Minn., 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 \$350, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16761. Adulteration of butter. U. S. v. George Freese's Sons. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 23728. I. S. No. 20716-x.)

On June 1, 1929, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George Freese's Sons, a corporation, Nappanee, Ind., alleging shipment by said defendant, in violation of the food and drugs act, on or about March 10, 1928, from the State of Indiana into the State of Pennsylvania, of a quantity of butter which was adulterated.

It was alleged in the information that the article was adulterated in that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923, which the said article purported to be.

On July 15, 1929, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16762. Adulteration and misbranding of butter. U. S. v. 7 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24061. I. S. No. 021082. S. No. 2247.)

On August 27, 1929, 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 seizure