

A portion of the article was labeled in part: (Roll) "One Pound Red Seal Brand Creamery Butter 16 Oz. Put up by Wurtzel & Gordon, Inc. Bridgeport, Conn." The remainder of the said article was labeled in part: (Roll) "One Pound Net Weight The Lenox Brand Butter * * * John R. Woodhull * * * Bridgeport."

It was alleged in the libels that the article was misbranded in that the statements, "One Pound," "16 Oz.," and "One Pound Net Weight," as the case might be, were false and misleading and deceived the purchaser. Misbranding was alleged for the 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 packages, since the statements, "One Pound," "16 Oz.," and "One Pound Net Weight," were incorrect.

On October 8, 1929, J. R. Kramer (Inc.), New York, N. Y., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were 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 bonds totaling \$600, conditioned in part that it be returned to the factory and reprinted into full quarter-pound sections and packed into full 1-pound packages, or reprinted into full 1-pound rolls, so that it comply with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16816. Adulteration of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24011. I. S. No. 04517. S. No. 2150.)

On or about July 22, 1929, the United States attorney for the Northern District of Illinois, 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 Chicago, Ill., alleging that the article had been shipped by the Rock Falls Creamery Co., from Caryville, Wis., July 9, 1929, and transported from the State of Wisconsin into the State of Illinois, 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 substance, 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 said article, in that a valuable constituent, butterfat, had been in part abstracted from the article, and in that it contained less than 80 per cent of butterfat.

On September 10, 1929, Edward Macek, Chicago, Ill., 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 \$1,000, conditioned in part that it be reprocessed, under the supervision of this department, so that it contain not less than 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16817. Adulteration and misbranding of butter. U. S. v. 45 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24231. I. S. No. 019928. S. No. 2332.)

On September 10, 1929, the United States attorney for the Southern District of Ohio, 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 45 tubs of butter, remaining in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped by the Merchants Creamery Co., Springfield, Mo., on or about July 30, 1929, and transported from the State of Missouri into the State of Ohio, 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 product deficient in milk fat had been substituted for butter, which the article purported to be. Adulteration was alleged for the further reason that a product containing less than 80 per cent by weight of milk fat had been substituted for butter, a product 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 article purported to be.

Misbranding was alleged for the reason that the article was sold as butter when it should have contained not less than 80 per cent by weight of milk fat, as prescribed by law.

On October 15, 1929, the Merchants Creamery Co., Cincinnati, Ohio, 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 for salvaging under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$3,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16818. Adulteration of canned salmon. U. S. v. 63 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24071. I. S. No. 09947. S. No. 2299.)

On September 16, 1929, 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 63 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by J. T. Toman, Anchorage, Alaska, August 12, 1929, and transported from the Territory of Alaska 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 it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On October 8, 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.*

16819. Adulteration of frozen poultry. U. S. v. 2 Barrels of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23986. S. No. 021139. S. No. 2243.)

On September 6, 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 2 barrels of frozen poultry at New York, N. Y., alleging that the article had been shipped by the R. S. Buchanan Co. (Inc.), from Perry, Mo., on or about August 21, 1929, and transported from the State of Missouri 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 it consisted in part of a decomposed animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On October 8, 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.*

16820. Misbranding of cottonseed meal. U. S. v. 500 Sacks of Cottonseed Cake or Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23270. I. S. No. 07507. S. No. 1384.)

On December 24, 1928, 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 seizure and condemnation of 500 sacks of cottonseed cake or meal, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Dallas Oil & Refining Co., from Dallas, Tex., December 13, 1928, and transported from the State of Texas into the State of Minnesota, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Cottonseed Cake or Meal, Manufactured by Dallas Oil & Refining Co., Dallas, Texas. * * * Analysis Protein Basis 43 per cent."

It was alleged in the libel that the article was misbranded in that the statement "Protein Basis 43 per cent," borne on the label, was false and misleading and deceived and misled the purchaser.

On April 9, 1929, the Dallas Oil & Refining Co., Dallas, Tex., having appeared as claimant for the property and having consented to the entry of a decree of