

On November 18, 1929, the Haas-Lieber Grocery Co., St. Louis, Mo., having appeared as claimant for the property, judgment of condemnation 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 \$3,000, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17403. Adulteration of grapefruit. U. S. v. 360 Boxes of Grapefruit. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24627. I. S. No. 041304. S. No. 2850.)

On February 11, 1930, the United States attorney for the Western District of Missouri, 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 360 boxes of grapefruit, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by L. E. Snavelly, from Harlingen, Tex., on or about February 4, 1930, and transported from the State of Texas into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Cases) "La Bonita Brand Blue Ribbon * * * Citrus Fruits * * * Packed by L. E. Snavelly, Harlingen, Texas."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

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

On March 1, 1930, the American Fruit Growers (Inc.), claimant, having admitted the allegations of the libel and having consented that judgment be entered for the condemnation and forfeiture of the property, a decree was entered ordering 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 salvaged and the decomposed and dry grapefruit destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17404. Misbranding of cottonseed cake screenings. U. S. v. 380 Sacks of Cottonseed Cake Screenings. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24568. I. S. No. 037802. S. No. 2877.)

On February 22, 1930, the United States attorney for the Western District of Missouri, 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 380 sacks of cottonseed cake screenings, remaining in the original unbroken packages at Humphreys, Mo., alleging that the article had been shipped by the Graco Milling Co., from Cairo, Ill., on or about February 10, 1930, and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Graco 43% Brand 43% Protein Prime Cottonseed Cake or Meal Guaranteed Analysis Protein Not Less Than 43%."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Protein Not Less Than 43%," was false and misleading and deceived and misled the purchaser.

On March 1, 1930, the Graco Milling Co., Sherman, Tex., claimant, having admitted the allegations of the libel and having consented to the entry of judgment for the condemnation and forfeiture of the property, a decree was entered ordering 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 should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17405. Misbranding of oleomargarine. U. S. v. 5 Cartons, et al., of Oleomargarine. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. No. 24697. I. S. Nos. 023631, 023632. S. No. 3035.)

On April 5, 1930, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the said district libels praying seizure and condemnation of 55 cartons of oleomargarine, remaining in the original unbroken packages at Denver, Colo., consigned by Morris & Co., Kansas City, Mo., alleging that the article had been shipped from Kansas City, Mo., on or about March

22, 1930, and transported from the State of Missouri into the State of Colorado, and charging misbranding in violation of the food and drugs act as amended. A portion of the article was labeled in part: (Retail packages) "1 Lb. Net, Morolo Sweet Nut Margarine Oleomargarine, Morris and Co., Distributors." The remainder of the article was labeled in part: (Retail packages) "Marigold Oleomargarine, 1 Pound Net Weight Morris & Co."

It was alleged in the libels that the article was misbranded in that the following statement borne on the labels, "1 lb. Net," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and failed to bear a plain and conspicuous statement of the quantity of contents, since the statement made was incorrect.

On April 29, 1930, Armour & Co., claimant, having admitted the material 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 execution of bonds totaling \$300, conditioned in part that it be relabeled under the supervision of this department so as to comply with the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17406. Misbranding of winter wheat shipstuff. U. S. v. 26 Sacks, et al., of Winter Wheat Shipstuff. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 24765, 24767. I. S. Nos. 038367, 038370. S. Nos. 3122, 3125.)

On May 15, 1930, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 66 sacks of winter wheat shipstuff, remaining in the original unbroken packages, in part at Fayetteville, N. C., and in part at Raleigh, N. C., alleging that the article had been shipped by the Dan Valley Mills, Danville, Va., in 2 consignments, on or about March 28, 1930, and April 16, 1930, respectively, and transported from the State of Virginia into the State of North Carolina, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Pure Winter Wheat Shipstuff Dan Valley Mills Danville, Va. Guaranteed Analysis Carbohydrates 65.00%, Protein 16.00%, Fat 5.00%, Fiber 8.00%."

Analyses of samples of the article showed it to be deficient in protein.

It was alleged in the libels that the article was misbranded in that the statements on the label, "Guaranteed analysis carbohydrates 65.00%, protein 16.00%, fat 5.00%, fiber 8.00%," were false and misleading and deceived and misled purchasers.

On June 16, 1930, the Dan Valley Mills, Danville, Va., having appeared as claimant for the property and having admitted the allegations of the libels, 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 \$200, conditioned in part that it should not be sold in violation of the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17407. Adulteration and misbranding of butter. U. S. v. 81 Cases, et al., of Butter. Product released under bond. (F. & D. No. 24825. I. S. Nos. 030449, 039592. S. No. 3059.)

On or about March 27, 1930, the United States attorney for the Southern District of Georgia, 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 81 cases each containing 32 pounds, and 120 cases each containing 12 pounds of butter, remaining in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped by the Cudahy Packing Co., from Washington Court House, Ohio, on or about March 18, 1930, and transported from the State of Ohio into the State of Georgia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "The Cudahy Packing Company Distributors, General Offices, Chicago, U. S. A. Sunlight Creamery Butter."

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 mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength. Adulteration was alleged for the further reason that a product containing less than 80