

On June 12, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10½ cases of canned mushroom puree at Chicago, Ill., alleging that the article had been shipped by the Keystone Mushroom Co., from Detroit, Mich., May 11, 1931, and had been transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Keystone Brand Puree of Mushrooms. * * * Packed by the Keystone Mushroom Co., Coatesville, Pa."

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 October 12, 1931, 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.*

18883. Adulteration and misbranding of canned grapefruit juice. U. S. v. 23 Cases of Grapefruit Juice. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26467. I. S. No. 24456. S. No. 4750.)

Samples of canned grapefruit juice from the shipment herein described having been found to contain added sugar, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On June 10, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 23 cases of canned grapefruit juice at Chicago, Ill., alleging that the article had been shipped by the Holly Hill Fruit Products (Inc.), from Davenport, Fla., on or about January 10, 1931, and had been transported from the State of Florida into the State of Illinois, and charging adulteration and misbranding in violation of the food and drug act. The article was labeled in part: (Can) "Holly Hill Florida Grapefruit Juice * * * Holly Hill Fruit Products Inc., Davenport, Fla."

It was alleged in the libel that the article was adulterated in that a substance, to wit, added sugar, had been substituted in part for grapefruit juice, which the said article purported to be.

Misbranding was alleged for the reason that the statement, "Grapefruit Juice," was borne on the label so as to deceive and mislead the purchaser into the belief that the article was genuine grapefruit juice, whereas it was not. Misbranding was alleged for the further reason that the article was an imitation of another article, to wit, grapefruit juice, which it purported to be.

On October 12, 1931, 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.*

18884. Adulteration and misbranding of butter. U. S. v. Midwest Dairies (Inc.) (Desert Gold Dairies (Inc.)). Plea of guilty. Fine, \$25. (F. & D. No. 26536. I. S. Nos. 505, 507, 588, 1665.)

Samples of butter from the shipments herein described having been found short of the declared weight, and a portion having been found to contain less than 80 per cent of milk fat, the standard prescribed by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Texas.

On November 3, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against the Midwest Dairies (Inc.), a corporation, trading as the Desert Gold Dairies (Inc.), El Paso, Tex., alleging shipment by said company, in violation of the food and drugs act as amended, in various consignments, on or about August 19, August 22, September 12, and October 3, 1930, from the State of Texas into the State of New Mexico, of quantities of butter which was misbranded and a portion of which was also adulterated. The article was labeled in part: "1 Pound Net Desert Gold Creamery Butter Desert Gold Finest Quality Creamery Butter Desert Gold Dairies, Inc."

It was alleged in the information that a portion of the article was adulterated in that a product which contained less than 80 per cent by weight of milk fat had been substituted for 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 said article purported to be.