

conspicuous statement of the quantity of the contents, since the statements made were incorrect.

On November 19, 1931, decrees were entered finding the allegations of the libels to be true, and ordering that the United States marshal destroy the three 24-pound sacks and one 98-pound sack of Acorn meal, and the forty-nine 24-pound sacks and fifty-four 10-pound sacks of Red Head meal which had been seized.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18905. Adulteration and misbranding of butter. U. S. v. 56 Cubes of Butter. Default decree of condemnation and forfeiture. Product delivered to charitable institution. (F. & D. No. 27040. I. S. Nos. 11724, 11825. S. No. 5134.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard provided by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.

On July 29, 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 56 cubes of butter, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Farmers Cooperative Association (Farmers Cooperative Producers Association), from Idaho Falls, Idaho, on or about July 20, 1931, and had been transported from the State of Idaho into the State of California, 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 containing less than 80 per cent of milk fat had been substituted wholly or in part for butter.

Misbranding was alleged for the reason that the article was a compound and blend and did not contain a label so stating.

On November 18, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered. The court having found that the product contained no deleterious matter and was fit for human consumption, ordered that it be delivered to a charitable institution.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18906. Adulteration of canned frozen whole eggs. U. S. v. 259 Cans of Frozen Whole Eggs. Decree entered by consent. Product taken down under bond to be sorted; good portion released and bad portion destroyed or denatured. (F. & D. No. 27047. I. S. No. 38711. S. No. 5283.)

Samples of canned frozen whole eggs from the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.

On October 7, 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 259 cans of frozen whole eggs, remaining in the original unbroken packages at Jersey City, N. J., alleging that the article had been shipped by Kadane Brown, from Dallas, Tex., on or about September 30, 1931, and had been transported from the State of Texas into the State of New Jersey, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Whole Eggs American Albumen Corporation Frozen Eggs * * * New York—Dallas."

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

On October 21, 1931, the Pacific Commonwealth Corporation of California, New York, N. Y., claimant, having admitted the allegations of the libel and having consented that a decree be entered condemning and forfeiting the product, judgment was entered ordering that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,500, conditioned in part that the cans containing bad eggs be separated from the cans containing good eggs, under the supervision of this department, and that the cans set aside as containing decomposed material be destroyed or denatured so that they could not be used for food.

ARTHUR M. HYDE, *Secretary of Agriculture.*