

ther reason that the articles were food in package form and failed to bear a plain and conspicuous statement of the quantity of contents, since the quantities stated were incorrect.

On December 30, 1931, no claimant having appeared, 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.*

19217. Adulteration of dried split prunes. U. S. v. 16 Boxes, More or Less, of Dried Split Prunes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27261. I. S. No. 42831. S. No. 5428.)

Samples of dried split prunes from the shipment herein described having been found to be insect-infested, moldy, and dirty, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On November 18, 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 16 boxes, more or less, of dried split prunes at Philadelphia, Pa., alleging that the article had been shipped on or about October 13, 1931, from Chillicothe, Ohio, and had been transported in interstate commerce from the State of Ohio into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "50 Lbs. Net * * * California Split Prunes."

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

On December 14, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19218. Adulteration of dressed chickens. U. S. v. 18 Barrels of Dressed Chickens. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27264. I. S. No. 44032. S. No. 5441.)

Fowls with defects consisting of bruised breasts, broken legs, rupture, drained abscesses, and skin growths, which rendered them unfit for food, having been found in the shipment of dressed chickens herein described, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On or about November 20, 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 18 barrels of dressed chickens at Chicago, Ill., alleging that the article had been shipped on or about October 30, 1931, by Peter Fox & Sons, from Hopkinsville, Ky., and had been transported from the State of Kentucky 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 it consisted in part of portions of animals unfit for food, for the further reason that it consisted in part of the product of diseased animals, and for the further reason that it consisted in part of a decomposed animal substance.

On December 10, 1931, the Peter Fox & Sons Co., 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 \$500, conditioned in part that it should not be sold or disposed of contrary to the provisions of the food and drugs act or the laws of any State, Territory, district, or insular possession.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19219. Adulteration of vinegar. U. S. v. 2,700 Gallons of Vinegar. Default decree of destruction. (F. & D. No. 27245. I. S. No. 31513. S. No. 5387.)

Samples of vinegar from the shipment herein described having been found to contain arsenic and lead, the Secretary of Agriculture reported the matter to the United States attorney for the District of Utah.

On November 14, 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 2,700 gallons of vinegar at Ogden, Utah, alleging that the article had been shipped by the Idaho Vinegar & Cider Co., from Payette, Idaho, on or about August 3, 1931, and had been transported in interstate commerce from the State of Idaho into the State of Utah, 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 contained added poisonous or deleterious ingredients, to wit, arsenic and lead, which might have rendered it injurious to health.

On February 18, 1932, no claimant having appeared for the property, judgment was entered finding the product adulterated and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19220. Adulteration of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation. Product released under bond. (F. & D. No. 27959. I. S. No. 5388. S. No. 5980.)

Examination of samples of butter from the shipment herein described having shown that the product contained less than 80 per cent by weight of milk fat, the standard prescribed by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On March 12, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11 tubs of butter at New York, N. Y., alleging that the article had been shipped on or about March 3, 1932, by Plainview Farmers Cooperative Creamery, from Plainview, Nebr., and had been transported in interstate commerce from the State of Nebraska into the State of New York, and charging adulteration in violation of the food and drugs act as amended.

It was alleged in the libel 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, a product which should contain not less than 80 per cent of milk fat as provided by the act of March 4, 1923.

The Plainview Farmers Cooperative Creamery Co., Plainview, Nebr., interposed a claim for the product and admitted the allegations of the libel, consented to the entry of a decree, and agreed that the product be reconditioned so that it contain at least 80 per cent of milk fat. On March 17, 1932, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the said claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned in part that it be reworked so that it comply with the law, and that it should not be disposed of until examined and released by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19221. Adulteration and misbranding of sweetened condensed milk. U. S. v. 7 Barrels of Sweetened Condensed Milk. Consent decree of condemnation and forfeiture. Product released under bond for relabeling. (F. & D. No. 26873. I. S. No. 37356. S. No. 5040.)

Samples of sweetened condensed milk from the shipment herein described having been found to be deficient in milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Ohio.

On August 15, 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 7 barrels of sweetened condensed milk at Dayton, Ohio, alleging that the article had been shipped on or about June 29, 1931, by Sunshine Farms, Lafayette, Ind., and had been transported in interstate commerce from the State of Indiana into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "For Sherman White, Dayton, Ohio, Sunshine Farms, from Indiana Service Corporation, Fort Wayne, Indiana."

It was alleged in the libel that the article was adulterated in that a substance, to wit, sweetened condensed skimmed milk containing practically no milk fat, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength; and for the further reason that sweetened condensed skimmed milk, deficient in milk fat and containing no appreciable amount of milk fat, had been substituted for sweetened condensed whole milk which the said article purported to be. Adulteration was alleged for the further reason that milk fat, a valuable constituent of the article, had been almost wholly abstracted therefrom.