

25, 1937, by the Graham Sea Food Co., from Coden, Ala., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy animal substance.

On June 29, 1937, no claimant having appeared, judgment of condemnation was entered ordering that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27466. Misbranding of butter. U. S. v. 16 Cartons and 21 Cartons of Butter. Decree of condemnation. Product released under bond to be repacked. (F. & D. no. 39710. Sample nos. 43426-C, 43427-C.)

This case involved butter that was short in weight.

On May 22, 1937, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 37 cartons of butter at New Orleans, La., alleging that it had been shipped in interstate commerce on or about May 10, 1937, by the Lexington Ice & Creamery Co. from Lexington, Miss., and charging misbranding in violation of the Food and Drugs Act. A portion of the article was labeled: (Retail carton) "Clear Brook Creamery Butter * * * Distributed by Wilson & Co. * * * Net Weight 1 Pound"; (parchment wrapper) "¼ Lb. Net Weight." The remainder was labeled: (Wrapper) "Country Roll Creamery Butter Pasteurized Distributors Wilson & Co. * * * 1 Lb. Net Weight."

The article was alleged to be misbranded in that the statements, "Net Weight 1 Pound", "¼ Lb. Net Weight", and "1 Lb. Net Weight", were false and misleading and tend to deceive and mislead the purchaser; and in that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On June 12, 1937, the Lexington Ice & Creamery Co. having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be repacked to the correct weight.

M. L. WILSON, *Acting Secretary of Agriculture.*

27467. Misbranding of butter. U. S. v. 24 Cases of Butter. Consent decree of condemnation. Product ordered released under bond. (F. & D. no. 39856. Sample no. 43404-C.)

This case involved butter that was short in weight.

On June 4, 1937, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 cases, each containing 32 rolls of butter, at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about May 26, 1937, by the Kosciusko Creamery from Kosciusko, Miss., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Parchment wrapper) "Maple Leaf Butter One Pound Net."

It was alleged to be misbranded in that the statement on the label, "One Pound Net", was false and misleading and deceived and misled the purchaser; and in that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On June 10, 1937, the Kosciusko Creamery Co. having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be tubbed or brought up to the labeled weight.

M. L. WILSON, *Acting Secretary of Agriculture.*

27468. Adulteration of tomato and celery juice. U. S. v. 32 Cases of Tomato and Celery Juice. Default decree of condemnation and destruction. (F. & D. no. 39906. Sample no. 41234-C.)

This product was undergoing a form of chemical decomposition.

On June 25, 1937, the United States attorney for the District of Idaho, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 32 cases of tomato and celery juice at Idaho Falls, Idaho, alleging that the article had been shipped in interstate commerce on or about April 18 and 28, 1936, by Symms Utah Grocer Co., from Salt Lake City, Utah, and charging adulteration in violation of the Food and