conformity with section 10 of the act, conditioned in part that the said product be reprocessed in such manner as to remove the excess water, under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11006. Adulteration and misbranding of butter. U. S. v. 34 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16514. I. S. No. 1507-v. S. No. E-4164.)

On September 5, 1922, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 34 tubs of butter, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Lisbon Creamery, Lisbon, N. Dak., on or about August 1, 1922, and transported from the State of North Dakota into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for butter, which the said article purported to be, and for the further reason that a valuable constituent of the said article, to wit, butter fat, had been in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, butter.

On October 17, 1922, the Lisbon Creamery Co., Lisbon, N. Dak., having entered an appearance as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11007. Adulteration and misbranding of flour. U. S. v. 205 Sacks and 205 Sacks of Flour. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16596, 16604. I. S. Nos. 14060-t, 14061-t. S. Nos. W-1147, W-1151.)

On July 7 and 8, 1922, respectively, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 410 sacks of flour, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Rose City Flour Mills, St. Johns, Oreg., alleging that the article had been shipped from St. Johns, Oreg., on or about June 27, 1922, and transported from the State of Oregon into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: "Snowdrop Pastry & Family Flour Allen Flour Company San Francisco—Los Angeles, Cal. Net weight 98 Lbs. when Packed Snowdrop." The remainder of the article was labeled in part: "Allen's Short Pastry Flour Manufactured for Allen Flour Company San Francisco—Los Angeles, Calif. Bleached 98 Lbs. Short Pastry.

Adulteration was alleged in the libel with respect to a portion of the article for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged with respect to all of the said article for the reason that the statement, "98 Lbs.," appearing on the sacks containing a portion of the article, and the statement, "Allen Flour Company San Francisco—Los Angeles, * * * 98 Lbs.," appearing on the remainder of the said sacks, were 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 the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On July 11, 1922, the Allen Flour Co., San Francisco, Calif., having entered an appearance as claimant for the property, 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 the costs of the proceedings and the execution of bonds in the aggregate sum of $3,000, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*