On April 9, 1928, no claimant having appeared for the property, judgment was entered finding the product adulterated and misbranded, and it was ordered by the court that the product be confiscated and destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15753. Adulteration and misbranding of butter. U. S. v. 25 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22807. I. S. No. 21900-x. S. No. 805.)

On May 4, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Mannanah Cooperative Creamery Co., Litchfield, Minn., on or about April 30, 1928, and transported from the State of Minnesota into the State of New York, 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 substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On May 25, 1928, C. C. Kielty, operator of the Mannanah Cooperative Creamery Co., Litchfield, Minn., 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 upon payment of the costs of the proceedings and the execution of a bond in the sum of $750, conditioned in part that it be reworked and reprocessed so as to contain at least 80 per cent of butterfat.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15754. Misbranding and alleged adulteration of vinegar. U. S. v. 30 Barrels of Vinegar. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 22449. I. S. No. 23719-x. S. No. 534.)

On February 9, 1928, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 30 barrels of vinegar, remaining unsold in the original packages at Clinton, Iowa, alleging that the article had been shipped by the National Vinegar Co., from East St. Louis, Ill., on or about June 25, 1927, and transported from the State of Illinois into the State of Iowa, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "National Vinegar Co., Gold-N-Rule Brand * * * Cider Vinegar * * * St. Louis, Mo."

It was alleged in the libel that the article was adulterated in that it was an evaporated apple by-product vinegar.

Misbranding was alleged for the reason that the statement, "Cider Vinegar," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On April 3, 1928, the National Vinegar Co., St. Louis, Mo., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product misbranded and ordering its condemnation, and it was further 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 a bond in the sum of $650, conditioned in part that it be relabeled under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15755. Adulteration and misbranding of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22790. I. S. No. 24503-x. S. No. 777.)

On April 25, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 tubs of butter, remaining in the original