

in the District Court of the United States for said district a libel praying the seizure and condemnation of 4 barrels of Brazil nuts remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Barnhart Mercantile Co., New Orleans, La., alleging that the article had been shipped from New Orleans, La., on or about December 7, 1922, and transported from the State of Louisiana into the State of California, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed vegetable substance.

On September 6, 1923, 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 disposed of according to law.

HOWARD M. GORE, *Secretary of Agriculture.*

12506. Adulteration and misbranding of butter. U. S. v. Courtland Creamery Assoc., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 17929. I. S. No. 1150-v.)

On April 22, 1924, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Courtland Creamery Assoc., a corporation, Courtland, Minn., alleging shipment by said defendant, in violation of the food and drugs act, on or about July 2, 1923, from the State of Minnesota into the State of Maryland, of a quantity of butter which was adulterated and misbranded. The article was labeled in part: (Wrapper) "Fine Butter * * * One Pound Net."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained excessive moisture and was deficient in milk fat.

Adulteration of the article was alleged in the information for the reason that a product deficient in milk fat and containing an excessive amount of moisture had been substituted for butter, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Fine Butter," borne on the wrappers containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading in that it represented that the article was fine butter, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was fine butter, whereas, in truth and in fact, it was not fine butter but was a product deficient in milk fat and containing an excessive amount of moisture.

On April 22, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

HOWARD M. GORE, *Secretary of Agriculture.*

12507. Adulteration of shell eggs. U. S. v. Harry Roberts, Dan Roberts, and Chester I. Roberts (Roberts Bros. Co.). Plea of guilty by Harry Roberts. Fine, \$50 and costs. (F. & D. No. 17129. I. S. Nos. 7558-v, 7560-v.)

On April 5, 1923, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harry Roberts, Dan Roberts, and Chester I. Roberts, copartners, trading as Roberts Bros. Co., Elkhart, Kans., alleging shipment by said defendants, in violation of the food and drugs act, in two consignments, namely, on or about July 3 and July 20, 1922, respectively, from the State of Kansas into the State of Colorado, of quantities of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 1,080 eggs from the consignment of July 3 showed that 81 eggs, or 7.5 per cent of those examined, were inedible eggs, consisting of black rots, mixed or white rots, and spot rots. Examination by said bureau of 720 eggs from the remaining consignment showed that 68 eggs, or 9.44 per cent of those examined, were inedible eggs, consisting of black rots, mixed or white rots, moldy eggs, spot rots, and blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and decomposed and putrid animal substance.