

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.

On September 25, 1923, an order having been entered allowing Harry Roberts to appear for all the defendants, the said Harry Roberts entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

HOWARD M. GORE, *Secretary of Agriculture.*

12508. Adulteration and misbranding of jellies. U. S. v. F. P. Adams Co., Inc., a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 18345. I. S. Nos. 1724-v, 1725-v, 1726-v, 1727-v.)

On March 31, 1924, 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 an information against the F. P. Adams Co., Inc., a corporation, Boston, Mass., alleging shipment by said company, in violation of the food and drugs act, on or about October 31, 1922, from the State of Massachusetts into the State of New Hampshire, of quantities of jellies which were adulterated and misbranded. The articles were labeled in part: (Jar) "Pure Currant and Apple" (or "Grape and Apple," or "Strawberry and Apple," or "Raspberry and Apple") "Jelly F. P. Adams Co. Inc. Boston, Mass. Net Weight 7 Ozs."

Analysis of samples of the articles by the Bureau of Chemistry of this department showed that they were currant-flavored, grape-flavored, strawberry-flavored, or raspberry-flavored glucose pectin jellies, as the case might be, artificially colored with a coal-tar dye.

Adulteration of the articles was alleged in the information for the reason that currant-flavored, grape-flavored, strawberry-flavored, or raspberry-flavored glucose pectin jellies, as the case might be, had been substituted for the said articles. Adulteration was alleged for the further reason that the articles were products inferior to pure currant and apple jelly, pure grape and apple jelly, pure strawberry and apple jelly, or pure raspberry and apple jelly, as the case might be, and were artificially colored with amaranth 107, so as to simulate the appearance of the said articles and in a manner whereby their inferiority to the said articles was concealed.

Misbranding was alleged for the reason that the statements, to wit, "Pure Currant and Apple Jelly," "Pure Grape and Apple Jelly," "Pure Strawberry and Apple Jelly," and "Pure Raspberry and Apple Jelly," borne on the labels attached to the jars containing the respective articles, were false and misleading in that the said statements represented that the articles consisted wholly of pure fruit jellies as alleged in the labels, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they consisted wholly of pure fruit jellies as alleged in the said labels, whereas, in truth and in fact, they did not so consist but did consist of currant-flavored, grape-flavored, strawberry-flavored, or raspberry-flavored pectin jellies, as the case might be, artificially colored. Misbranding was alleged for the further reason that the articles were imitations of and were offered for sale and sold under the distinctive names of other articles.

On April 18, 1924, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

HOWARD M. GORE, *Secretary of Agriculture.*

12509. Adulteration and misbranding of butter. U. S. v. Lamoille Valley Creamery Assoc., a Corporation. Plea of guilty. Fine, \$10. (F. & D. No. 17420. I. S. Nos. 1643-v, 1655-v.)

On June 30, 1923, the United States attorney for the District of Vermont, 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 Lamoille Valley Creamery Assoc., a corporation, East Hardwick, Vt., alleging shipment by said company, in violation of the food and drugs act, on or about October 23, 1922, from the State of Vermont into the State of Massachusetts, of a quantity of butter which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was deficient in butterfat and contained excessive moisture.

Adulteration of the article was alleged in the information for the reason that a substance low in butterfat and containing excessive moisture had been substituted for butter, which the said article purported to be, and for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted.