amount, and the said article did not contain 80 per cent by weight of milk fat, but did contain a less amount. 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 package.

On June 5, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $100 and costs.

HOWARD M. GORE, *Secretary of Agriculture.*

12518. Adulteration of butter. U. S. v. 25 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 18847. I. S. No. 13280–v. S. No. E–4885.)

On or about July 11, 1924, 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 the 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 Jewell Ice Cream Milk Co. from Columbus, Ohio, on or about June 27, 1924, and transported from the State of Ohio into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, butterfat, had been in part abstracted.

On July 24, 1924, the Jewell Ice Cream Milk Co., Columbus, Ohio, claimant, having admitted the allegations of the libel and 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, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department.

HOWARD M. GORE, *Secretary of Agriculture.*

12519. Adulteration and misbranding of butter. U. S. v. 35 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 18844. I. S. No. 12858–v. S. No. E–4878.)

On July 2, 1924, 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 the seizure and condemnation of 35 tubs of butter remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Eagle Valley Cooperative Creamery from Clarissa, Minn., June 22, 1924, 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. The article was labeled in part: "Guaranteed Pasteurized Butter Made from Sweet Cream."

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

Misbranding was alleged for the reason that the article was falsely branded as to the State in which it was manufactured or produced, for the further reason that it was an imitation of or offered for sale under the distinctive name of another article, to wit, butter, and for the further reason that the label bore the statement "Butter," which was false and misleading and deceived and misled the purchaser.

On July 25, 1924, the Eagle Valley Creamery Co., claimant, having admitted the allegations of the libel and 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 $1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department.

HOWARD M. GORE, *Secretary of Agriculture.*