of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of $400, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department.

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

13792. Misbranding of butter. U. S. v. 30 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond (F. & D. No. 20402. I. S. No. 119-x. S. No. W-1768.)

On August 18, 1925, the United States attorney for the Western District of Washington, 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 30 cases of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been prepared for shipment by the Consolidated Dairy Products Co., Seattle, Wash., in interstate commerce from the State of Washington into the Territory of Alaska, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Two-pound tin) "Darigold Brand Creamery Butter Two Pounds Net Best Creamery Butter Manufactured By United Dairy Association Of Washington, Seattle, Wash."

It was alleged in the libel that the article was misbranded under section 8 of said act, paragraphs 2 and 3, under "Food," in that it was short weight.

On September 9, 1925, the Consolidated Dairy Products Co., Seattle, Wash., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation 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 $500, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department, to show the correct weight.

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

13793. Misbranding of tankage. U. S. v. 290 Sacks of Hyklass Digester Tankage. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 18532. I. S. No. 17713-v. S. No. C-4324.)

On April 16, 1924, 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 the seizure and condemnation of 290 sacks of Hyklass digester tankage, remaining in the original unbroken packages at Mount Pleasant, Iowa, alleging that the article had been shipped by the Rogers By-Products Co., Aurora, Ill., on or about February 27, 1924, and transported from the State of Illinois into the State of Iowa, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Hyklass Digester Tankage Guaranteed Analysis Protein 60% * * * Made By Rogers By-Products Co., Aurora, Ill."

Misbranding of the article was alleged in the libel for the reason that the designation "Protein 60%," borne on the label, was false and misleading and deceived and misled the purchaser, since the said article contained less than 60 per cent of protein.

On November 13, 1924, 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 sold without label by the United States marshal.

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

13794. Misbranding of evaporated apples. U. S. v. 64 Cases of Evaporated Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19954. I. S. No. 16404-v. S. No. E-5265.)

On April 6, 1925, the United States attorney for the Southern District of Florida, 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 64 cases of evaporated apples, remaining in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped by the Aspegren Fruit Co., from Sodus, N. Y., in various consignments, namely, on or about November 24 and December 4 and 12, 1924, respectively, and transported from the State of New York into the State of Florida, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Victor Brand Evaporated Apples