

had been shipped by the Meriden Creamery Co., from Kansas City, Mo., February 9, 1925, and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. A portion of the article was labeled in part: (Case) "Meadow Cream Quarters * * * From the Meriden Cry. Co. * * * Kansas City, Missouri." The remainder of the said article was labeled in part: (Case) "Prairie Rose Butter The Meriden Creamery Co., Kansas City, Mo."

Misbranding of the article was alleged in substance in the libel for the reason that the cartons containing the respective lots of the said article bore the following statements, "Meadow Cream Registered Brand Pure Creamery Butter One Pound Net" and "Prairie Rose Creamery Butter One Pound Net Weight The Meriden Creamery Co., Kansas City, U. S. A.," which said statements represented the net weight of the butter contents of each carton to be 1 pound, and which said representation was false and misleading and deceived the purchaser, in that the net weight of the butter contained in the said cartons was less than 1 pound. Misbranding was alleged for the further reason that the article was food in package form and the net contents thereof was not plainly and conspicuously marked on the outside of the carton.

On May 16, 1925, the Haas Davis Packing Co., Mobile, Ala., having appeared as claimant for the property, a decree of the court was entered, adjudging the product to be misbranded, and it was ordered by the court that the said product be released to the claimant upon the execution of a good and sufficient bond, conditioned in part that it be returned to the Meriden Creamery Co., Kansas City, Mo., to be repacked in conformity with the law.

W. M. JARDINE, *Secretary of Agriculture.*

14375. Misbranding of butter. U. S. v. George Freese's Sons Co. Plea of guilty. Fine, \$25. (F. & D. No. 19289. I. S. Nos. 2378-v, 2379-v.)

On March 9, 1925, the United States attorney for the Northern District of Ohio, 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 George Freese's Sons Co., a corporation Fostoria, Ohio, alleging shipment by said company, in violation of the food and drugs act as amended, on or about January 8, 1924, from the State of Ohio into the State of Pennsylvania, of a quantity of butter which was misbranded. The article was labeled in part: "One Pound."

Examination by the Bureau of Chemistry of this department of 300 cartons from the shipment showed an average net weight of 15.5 ounces.

Misbranding of the article was alleged in the libel for the reason that the statement, to wit, "One Pound," borne on the packages containing the said article, was false and misleading, in that the said statement represented that the packages each contained 1 pound of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said packages each contained 1 pound of butter, whereas the packages did not each contain 1 pound of butter 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 24, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

W. M. JARDINE, *Secretary of Agriculture.*

14376. Adulteration of shell eggs. U. S. v. Ella E. Bryan, James A. McHenry, Cecile E. Bryan, Mabel B. Berry, Leta M. Bryan, George A. Bryan, Walter J. Bryan and Raymond F. Bryan (McHenry & Bryan). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 19707. I. S. Nos. 6319-v, 6320-v.)

On December 23, 1925, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ella E. Bryan, James A. McHenry, Cecile E. Bryan, Mabel B. Berry, Leta M. Bryan, George A. Bryan, Walter J. Bryan and Raymond F. Bryan, copartners, trading as McHenry & Bryan, Fayetteville, Ark., alleging shipment by said defendants, in violation of the food and drugs act, on or about June 12, 1925, from the State of Arkansas into the State of Missouri, of quantities of shell eggs which were adulterated. The article was labeled in part: "Checks From McHenry & Bryan, Fayetteville, Ark." or "Checks J. McHenry & Bryan * * * From Rogers, Ark."