

Analysis by the Bureau of Chemistry of this department of samples of the article showed that one lot of the ether contained aldehyde and the other two lots contained peroxide.

Adulteration of the article was alleged in the libel for the reason that it was sold under a name recognized in the U. S. Pharmacopoeia, and differed from the standard of quality and purity as prescribed in and determined by the tests laid down in said pharmacopoeia, and in that its purity fell below the professed standard or quality under which it was sold.

Misbranding was alleged for the reason that the statements borne on the labels of the cans containing the article, "Ether for Anesthesia It Is superior in vital respects to the ether of the U. S. P.," were false and misleading.

On August 6, 1926, E. R. Squibb & Sons, New York, N. Y., having appeared as claimant for the property, and having confessed the allegations of the libels, judgments of condemnation and forfeiture were 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 bonds in the aggregate sum of \$1,100, conditioned in part that it not be sold again for anesthetic purposes and that it be relabeled under the supervision of this department.

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

14558. Adulteration and misbranding of butter. U. S. v. 5 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21206. I. S. No. 6299-x. S. No. E-5816.)

On July 15, 1926, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Zanesville Creamery Co., Zanesville, Ohio, alleging that the article had been shipped from Zanesville, Ohio, on or about July 12, 1926, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance containing less than 80 per cent of butterfat had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On August 2, 1926, C. M. Drake & Co., Philadelphia, Pa., having appeared as claimant for the property, 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 \$150, conditioned in part that it be reconditioned under the supervision of this department.

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

14559. Adulteration and misbranding of butter. U. S. v. 5 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21193. I. S. No. 6354-x. S. No. E-5807.)

On July 7, 1926, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Sherburn Farm Creamery Co., Sherburn, Minn., alleging that the article had been shipped from Sherburn, Minn., on or about June 23, 1926, and transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance containing less than 80 per cent of butterfat had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article.

On July 8, 1926, the Almar Stores Co., Philadelphia, Pa., having appeared as claimant for the property, 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 \$150, the terms of said bond requiring that the product be reconditioned under the supervision of this department.

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

14560. Adulteration and misbranding of butter. U. S. v. 36 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21204. I. S. No. 13426-x. S. No. E-5809.)

On July 14, 1926, 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 seizure and condemnation of 36 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Crow River Co., from Cokato, Minn., on or about July 4, 1926, 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: "Shipped by Crow River Co., Cokato, Minn."

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 or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On July 22, 1926, H. W. Flemming, Cokato, Minn., claimant, having admitted the allegations of the libel, and having consented to the entry of a decree and to recondition the product so that it would contain at least 80 per cent of butterfat, 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 \$1,200, or the deposit of collateral in like amount, said bond or deposit being conditioned that the product be reworked and reprocessed to the satisfaction of this department.

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

14561. Adulteration and misbranding of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21192. I. S. No. 8279-x. S. No. E-5787.)

On July 2, 1926, 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 seizure and condemnation of 12 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Rosemount Creamery, Rosemount, Minn., on or about June 24, 1926, 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.

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 or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On July 14, 1926, the Rosemount Creamery Co., Rosemount, Minn., claimant, having admitted the allegations of the libel and consented to the entry of a decree, and having agreed to recondition the product so as to contain at least 80 per cent of butterfat, 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 \$400, conditioned in part that the product be reworked and reprocessed to the satisfaction of this department.

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