into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Retail package) "Spring Valley Creamery Butter Marshall County Coop Creamery Lewisburg, Tenn. One Pound Net Weight When Packed."

Misbranding of the article was alleged in substance in the libel for the reason that the statement "One Pound Net Weight," borne on the label, was false and misleading and deceived and misled the purchaser, in that the packages contained less than 1 pound of butter. Misbranding was alleged for the further reason that the article was food in package form and the net weight and volume of the contents of the said package was not plainly and correctly stated thereon.

On August 16, 1926, the Magnus Grocery Co., Inc., Birmingham, Ala., claimant, having admitted the allegations of the libel and having 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, conditioned in part that it be repacked, and that it not be sold or otherwise disposed of until examined and approved by a representative of this department.

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

14611. Adulteration of pears. U. S. v. 504 Baskets of Pears. Decree ordering product released under bond entered by consent. (F. & D. No. 21259. I. S. Nos. 12601–x, 12602–x. S. No. C–3037.)

On August 21, 1926, the United States attorney for the District of Nebraska, 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 504 baskets of pears, at Omaha, Nebr., alleging that the article had been shipped by the Grand Junction Fruit Growers Assoc., from Clifton, Colo., on or about August 16, 1926, and transported from the State of Colorado into the State of Nebraska, 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 contained an added poisonous ingredient which might have rendered it injurious to health, to wit, arsenic.

On August 24, 1926, the Grand Junction Fruit Growers Assoc., Clifton, Colo., having admitted the allegations of the libel and having consented that judgment of condemnation and forfeiture be entered, a decree was entered, finding the product adulterated, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $500, conditioned in part that it be salvaged and the adulterated pears destroyed, and that after inspection by a representative of this department the unadulterated portion be released without conditions.

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

14612. Adulteration of pears. U. S. v. 480 Baskets of Pears. Decree ordering product released under bond entered by consent. (F. & D. No. 21248. I. S. Nos. 821–x, 822–x. S. No. C–3034.)

On August 21, 1926, the United States attorney for the District of Nebraska, 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 480 baskets of pears, at Milford, Nebr., alleging that the article had been shipped by Charles F. Schoening, from Fruitvale, Colo., on or about August 13, 1926, and transported from the State of Colorado into the State of Nebraska, 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 contained an added poisonous ingredient which might have rendered it injurious to health, to wit, arsenic.

On August 26, 1926, Frank M. Powers, Omaha, Nebr., claimant, having admitted the allegations of the libel and having consented that judgment of condemnation and forfeiture be entered, a decree was entered, finding the product adulterated, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $500, conditioned in part that it be salvaged and the adulterated portion destroyed, and that after inspection by a representative of this department the unadulterated portion be released without conditions.

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