On October 11, 1926, 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 delivered to a charitable institution by the United States marshal.

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

14703. Adulteration of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21289. I. S. No. 12303-x. S. No. C-5214.)

On August 19, 1926, the United States attorney for the Northern District of Illinois, 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 11 tubs of butter, remaining unsold in the original packages at Chicago, Ill., alleging that the article had been shipped by the Alpha Creamery Co., from St. Paul, Minn., August 14, 1926, and transported from the State of Minnesota into the State of Illinois, 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, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, and for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted therefrom.

On September 16, 1926, the Alpha Creamery Co., St. Paul, Minn., 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 reprocessed so as to contain not less than 80 per cent of butterfat and not more than 16 per cent of water.

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

14704. Adulteration and misbranding of so-called health water. U. S. v. Twenty-One 5-Gallon Bottles of Williams Acme Spring Health Water. Default decree of forfeiture and destruction entered. (F. & D. No. 19903. I. S. No. 13598-v. S. No. E-5185.)

On March 19, 1925, the United States attorney for the Eastern 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 twenty-one 5-gallon bottles of Williams Acme spring health water, remaining in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by Williams Bros., from Norfolk, Va., on or about February 4, 1925, and transported from the State of Virginia 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: "Williams Acme Spring Health Water Williams Brothers Norfolk, Va."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid substance.

Misbranding was alleged for the reason that the statement "Health Water," borne on the label, was misleading and deceived and misled the purchaser.

On June 18, 1926, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

14705. Adulteration of tomato puree. U. S. v. 325 Cases of Tomato Puree. Default decree of forfeiture and destruction entered. (F. & D. No. 19506. I. S. No. 13221-v. S. No. E-5105.)

On January 20, 1925, the United States attorney for the Eastern 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 325 cases of tomato puree, remaining unsold in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by the Rio Grande Packing Co., Rio Grande, N. J., October 18, 1924, and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sunbeam Tomato Puree."