

package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On May 6, 1924, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$200.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12326. Misbranding of cheese. U. S. v. 500 Boxes of Cheese. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 18624. I. S. No. 17902-v. S. No. C-4340.)

On April 24, 1924, 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 the seizure and condemnation of 500 boxes of cheese at Chicago, Ill., alleging that the article had been shipped by the Miller Cold Storage Co. from Marshfield, Wis., March 29, 1924, and transported from the State of Wisconsin into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Misbranding of the article was alleged in the libel for the reason that it was shipped as No. 2 cheese, when, in truth and in fact, it was skim-milk cheese. Misbranding was alleged for the further reason that the article was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package.

On May 2, 1924, Armour and Co., claimant, having admitted the material allegations in the libel and 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, in conformity with section 10 of the act, conditioned in part that the product be relabeled "Skim Milk Cheese," together with a statement of the net weight.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12327. Adulteration and misbranding of butter. U. S. v. 10 Boxes of Butter. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 18443. I. S. No. 15414-v. S. No. E-4765.)

On March 6, 1924, the United States attorney for the District of Massachusetts, 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 10 boxes of butter remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the C. C. Wright Co. from McLeansboro, Ill., on or about February 15, 1924, and transported from the State of Illinois into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Gold Label Butter Is made from pure Pasteurized Cream and is manufactured by one of the most sanitary creameries in operation today. McLeansboro Creamery Co., McLeansboro, Ill."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, a product deficient in butterfat and containing excessive moisture, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly and in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted.

Misbranding was alleged for the reason that the statement, "Gold Label Butter Is made from pure Pasteurized Cream," was false and misleading and deceived and misled the purchaser.

On April 7, 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 by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12328. Misbranding of cottonseed cake or meal. U. S. v. Chickasha Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$150 and costs. (F. & D. No. 17937. I. S. No. 10435-v.)

On March 10, 1924, the United States attorney for the Eastern District of Oklahoma, 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 Chickasha Cotton Oil Co., a corporation, trading at Chickasha, Okla., alleging