the supervision of this department, upon payment of the costs of the proceedings and the execution of a bond in the sum of $18,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15735. Adulteration and misbranding of buttermilk. U. S. v. 40 Barrels, et al, of Buttermilk. Consent decrees of condemnation entered. Product released under bond. (F. & D. Nos. 22672, 22694. I. S. Nos. 17428-x, 17433-x. S. Nos. 705, 727.)

On March 27, and April 3, 1928, respectively, the United States attorney for the District of Oregon, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 80 barrels, 35 half-barrels, 135 ten-gallon kegs, and 185 five-gallon kegs of buttermilk, remaining in the original unbroken packages at Portland, Ore., alleging that the article had been shipped by the Lactein Co., from San Francisco Calif., in various consignments, on or about January 13, January 22, and March 13, 1928, respectively, and transported from the State of California into the State of Oregon, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Concentrated Buttermilk Super solid," "Super solid Buttermilk."

It was alleged in the libels that the article was adulterated in that lightly concentrated skim milk from which a material proportion of lactose had been removed and to which sulphuric acid had been added had been substituted in part for normal buttermilk of good commercial quality, in that a valuable ingredient, lactose, had been wholly or in part abstracted, and in that it was mixed in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the designation "Super, solid Buttermilk" was false and misleading and deceived and misled the purchaser. Misbranding was alleged with respect to a portion of the article for the reason that it was offered for sale under the distinctive name of another article. Misbranding was alleged with respect to the product contained in a portion of the five-gallon and ten-gallon size kegs for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 28, 1928, the Lactein Co., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation 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 good and sufficient bonds, conditioned in part that it should not be sold or otherwise disposed of contrary to law, and until it had been reconditioned and relabeled in a manner satisfactory to this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15736. Adulteration of dried figs. U. S. v. 20 Cases, et al, of Dried Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22502. I. S. Nos. 17861-x, 17862-x. S. No. 623.)

On March 2, 1928, the United States attorney for the Northern District of California, 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 23 cases of dried figs, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Habicht Braun Co., from New York, N. Y., on or about November 17, 1927, and transported from the State of New York into the State of California, and charging adulteration in violation of the food and drugs act. The cases containing the article were labeled in part: "* * * From Habicht Braun & Co., * * *." The boxes were labeled, in part: "EFE Brand * * * Pulled Figs Packed by M. Nazmi Topjoglou Smyrna Turkey" or "Invincible Brand Packed by N. B. Co. Product of Smyrna Turkey Pulled Figs N. Balladur & Co."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance, the said article showing the presence of worms and being moldy and sour.

On May 28, 1928, 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 destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*