**15879. Adulteration and misbranding of canned sugar corn. U. S. v. 425 Cases of Sugar Corn. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 22496. I. S. No. 8525–x. S. No. 614.)

On February 29, 1928, the United States attorney for the Western District of Kentucky, 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 425 cases of canned sugar corn, remaining in the original unbroken packages at Paducah, Ky., consigned by Carroon & Co., Fowler, Ind., alleging that the article had been shipped in interstate commerce from Fowler, Ind., into the State of Kentucky, on or about November 23, 1927, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Cans) "Recall Country Gentleman Sugar Corn * * * Carroon & Co., Fowler, Ind."

It was alleged in the libel that the article was adulterated in that field corn had been mixed and packed with and substituted in part for sugar corn.

Misbranding was alleged for the reason that the designation, "Country Gentleman Sugar Corn," was false and misleading in that the article was a mixture of sweet corn and field corn, and for the further reason that the said article was offered for sale under the distinctive name of another article, namely, "Country Gentleman Sugar Corn."

On March 5, 1928, the Merchants Wholesale Grocery Co., Paducah, Ky., having appeared as claimant for the property 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 relabeled to show that the said cans contained a mixture of field and sugar corn.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**15880. Adulteration of butter. U. S. v. Wayne Searcy (Dublin Creamery). Plea of nolo contendere. Fine, $50.** (F. & D. No. 21550. I. S. No. 8342–x.)

On October 16, 1926, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Wayne Searcy, trading as the Dublin Creamery, Dublin, Ga., alleging shipment by said defendant, in violation of the food and drugs act, on or about June 17, 1926, from the State of Georgia into the State of New York, of a quantity of butter which was adulterated.

It was alleged in the information that the article was adulterated in that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1913, which the article purported to be.

On June 25, 1928, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of $50.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**15881. Adulteration and misbranding of vinegar. U. S. v. 10 Barrels, et al., of Vinegar. Consent decree of condemnation entered. Product released under bond.** (F. & D. No. 22653. I. S. Nos. 25248–x, 25249–x. S. No. 689.)

On March 21, 1928, the United States attorney for the Eastern 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 10 barrels and 15 cases of vinegar, remaining in the original unbroken packages at Eldorado, Ill., alleging that the article had been shipped by the St. Louis Vinegar & Cider Co., St. Louis, Mo., on or about August 26, 1927, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Barrels) "Fermented Corn Sugar Vinegar;" (cases) "Fedco Brand Corn Sugar Vinegar 32 Fluid Ounces Reduced to 40 Grain."

It was alleged in the libel that the article was adulterated in that an imitation product other than corn sugar vinegar had been mixed and packed with and substituted in part for the said article, and in that it had been mixed in a manner whereby inferiority was concealed.