transported from the State of Tennessee into the State of North Carolina, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Feed Manufactured by the Dunlop Milling Company, Clarksville, Tenn. * * * Analysis Protein 9.25%, Fat 3%."

It was alleged in the libel that the article was misbranded in that the statements "Analysis Protein 9.25%, Fat 3%," borne on the label, were false and misleading and deceived and misled the purchaser.

On August 13, 1928, the Dunlop Milling Co., Clarksville, Tenn., having appeared as claimant for the property, a decree was entered ordering that the product be delivered to the said claimant upon payment of costs and the execution of a bond in the sum of $150, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16653. Adulteration of butter. U. S. v. George D. Nereson (Portland Creamery Co.). Plea of guilty. Fine, $50. F. & D. No. 22578. I. S. Nos. 21884-x, 21887-x, 21906-v, 21909-x, 23534-x, 24380-x.)

On November 26, 1928, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George D. Nereson, trading as the Portland Creamery Co., Portland, N. Dak., alleging shipment by said defendant, in violation of the food and drugs act, on or about January 18, January 23, January 27, February 1, and February 13, 1928, respectively, from the State of North Dakota into the State of New York, of quantities 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, 1923, which the said article purported to be.

On December 15, 1928, the defendant entered a plea of guilty to the information, and the court imposed a fine of $50.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16654. Misbranding of olive oil. U. S. v. 25 Cans of Olive Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22195. I. S. No. 21205-x. S. No. 253.)

On November 22, 1927, the United States attorney for the Middle District of Pennsylvania, 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 25 cans of olive oil, remaining in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by A. Gash & Co., from New York, N. Y., on or about October 4, 1927, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Italian Product Virgin Olive Oil Agash Brand Italy Net Contents One Full Gallon."

It was alleged in the libel that the article was misbranded in that the statement, borne on the can, "Net Contents One Full Gallon," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 12, 1928, A Gash & Co. (Inc.), 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 costs and the execution of a bond in the sum of $125, conditioned in part that it be emptied into barrels and labeled with the net volume under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16655. Misbranding of horse and mule feed. U. S. v. 120 Sacks of Horse and Mule Feed. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23291. I. S. No. 05546. S. No 1406.)

On December 31, 1928, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed