District Court of the United States for said district a libel praying seizure and condemnation of 9 tubs of butter, remaining in the original unbroken packages at Wilkes-Barre, Pa., alleging that the article had been shipped by the Minnesota Creamery & Produce Co., from St. Paul, Minn., on or about March 28, 1927, and transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Order of Minn. Cry. & Prod. Co."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On April 20, 1927, the Minnesota Creamery & Produce Co., St. Paul, Minn., having appeared as claimant for the property and having consented to its condemnation and forfeiture, a decree was entered, finding the allegations of the libel to be true, and ordering 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 $500, conditioned in part that it be reworked under the supervision of this department.

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

16138. Adulteration of shell eggs. U. S. v. 17 Cases and 18 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21907. I. S. Nos. 14981-x, 14982-x. S. No. E-6100.)

On April 22, 1927, the United States attorney for the Southern 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 35 cases of eggs, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Maple Dale Hatchery, from Austin, Minn., April 7, 1927, and transported from the State of Minnesota into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From Maple Dale Hatchery, Austin, Minn."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of decomposed eggs.

On May 12, 1927, 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.

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

16139. Adulteration of grapefruit. U. S. v. 372 Boxes of Grapefruit. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 21895. I. S. No. 10743-x. S. No. W-2137.)

On April 4, 1927, the United States attorney for the District of Oregon, 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 372 boxes of grapefruit, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by L. Maxcy, Inc., from Wauchula, Fla., on or about March 19, 1927, and transported from the State of Florida into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "L. Maxcy Supreme Brand * * * Oranges-Grapefruit-Tangerines Frostproof, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that an inedible product had been substituted in whole or in part for normal grapefruit of good commercial quality, and in that it consisted in whole or in part of a decomposed vegetable substance.

On April 15, 1927, L. Maxcy, Inc., Wauchula, Fla., having entered an appearance 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 destroyed by the United States marshal.

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