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

On September 13, 1929, the Ideal Creamery Co., Aitkin, Minn., 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 deposit of $350, or the execution of a bond in like amount, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16808. Adulteration and misbranding of canned salmon. U. S. v. 599 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 24002. I. S. No. 011611. S. No. 2281.)

On September 10, 1929, 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 seizure and condemnation of 599 cases of canned salmon, remaining in the original unbroken packages at Boston, Mass., consigned July 26, 1929, alleging that the article had been shipped by the Whitney-Ellsworth Co., from Seattle, Wash., and transported from the State of Washington into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Case and can) "Red Rambler Brand Red Salmon. Packed for Whitney-Ellsworth Co., Seattle, U. S. A."

It was alleged in the libel that the article was adulterated in that another substance, to wit, Coho salmon, had been substituted wholly for the said article.

Misbranding was alleged for the reason that the statements on the cases and cans, "Red Rambler Red Salmon," were false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On October 7, 1929, the Whitney-Ellsworth Co., Seattle, Wash., having appeared as claimant for the property and having admitted the allegations of the libel, 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 $8,000, conditioned in part that the labels be stripped from the cans, and the labels, marks, and brands removed or obliterated from the cases under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16809. Adulteration and alleged misbranding of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 24232. I. S. No. 020938. S. No. 2316.)

On August 30, 1929, 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 seizure and condemnation of 10 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Rewey Creamery Co., from Rewey, Wis., on August 13, 1929, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that excessive water had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength, in that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, in that a valuable constituent, to wit, butterfat, had been in part abstracted from the article, and in that it contained less than 80 per cent of butterfat.

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

On September 6, 1929, Gallagher Bros., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product adulterated and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it be reprocessed so that it contain not less than 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*