

Bros. (Inc.), Chicago, Ill., on or about August 16, 1929, and transported from the State of Illinois into the State of New York, 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 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 March 18, 1930, Droste & Snyder (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 \$750, or the deposit of collateral in like amount, conditioned in part that it be reworked and reprocessed so that it comply with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17279. Adulteration of grapefruit. U. S. v. 348 Boxes, et al., of Grapefruit. Default decrees of condemnation, forfeiture, and sale or destruction. (F. & D. Nos. 24684, 24685. I. S. Nos. 022595, 022596, S. Nos. 2901, 2902.)

On February 20, 1930, the United States attorney for the District of Colorado, 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 738 boxes of grapefruit, remaining in the original unbroken packages at Denver, Colo., consigned by White & Lawler (Inc.), La Feria, Tex., alleging that the article had been shipped from La Feria, Tex., in part on or about February 10, 1930, and in part on or about February 12, 1930, and transported from the State of Texas into the State of Colorado, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a decomposed vegetable substance. Adulteration was alleged for the further reason that the article consisted in whole or in part of frost-damaged grapefruit that had been substituted in whole or in part for edible grapefruit which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, juice, had been wholly or in part abstracted.

On April 28, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the United States marshal, under the supervision of this department, sell such portion of the fruit as was fit for sale and destroy the remainder.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17280. Adulteration and misbranding of butter. U. S. v. 4 Boxes, et al., of Butter. Default decrees of condemnation and forfeiture. Product delivered to charitable institutions. (F. & D. Nos. 24821, 24822, 24845. I. S. Nos. 027663, 027765, 028001. S. Nos. 3050, 3064, 3081.)

On March 31, April 7, and April 15, 1930, respectively, the United States attorney for the Southern District of New York, 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 8 boxes and 5 cases of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Paul A. Schulze & Co., St. Louis, Mo., in various consignments, on or about March 17, March 24, and April 2, 1930, respectively, and had been transported from the State of Missouri into the State of New York, and charging adulteration and misbranding with respect to a portion thereof, and misbranding with respect to the remainder in violation of the food and drugs act as amended. The article was labeled in part: (Retail package) "Blue Ribbon Creamery Butter * * * David W. Lewis & Company New York * * * One Pound Net."

Adulteration was alleged in the libel filed with respect to 5 cases of the product for the reason that a substance deficient in butterfat had been mixed and packed with it 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 with respect to the product in the said 5 cases for the reason that it was offered for sale under the distinctive name of another article. Misbranding was alleged with respect to the remaining 8 boxes of the

product for the reason that it was labeled or branded so as to deceive or mislead the purchaser by the following false or misleading statements: "One Pound Net David W. Lewis & Company, New York;" and for the further reason that the quantity of contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On May 15, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be delivered to charitable institutions.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17281. Adulteration and misbranding of butter. U. S. v. 14 Tubs, et al., of Butter. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 24682, 24812, 24813. I. S. Nos. 027584, 027595, 027662. S. Nos. 2963, 3018, 3044.)

On or about March 6, March 20, and March 28, 1930, respectively, the United States attorney for the Southern District of New York, 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 75 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped in part by the J. A. Long Co., and in part by the John A. Long Co., Union City, Ind., in various consignments, on or about February 20, March 17, and March 20, 1930, respectively, and had been transported from the State of Indiana into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that a substance deficient in butterfat had been mixed and packed with it 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 March 25, and April 8, 1930, respectively, the J. A. Long Co., Union City, Ind., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were 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 bonds totaling \$1,700, or the deposit of collateral 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.*

17282. Adulteration of canned salmon. U. S. v. 26 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24303. I. S. No. 018062. S. No. 2561.)

On December 3, 1929, 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 26 cases of canned salmon, remaining in the original, unbroken packages at Astoria, Oreg., alleging that the article had been shipped by the Pioneer Packing Co., Ilwaco, Wash., in part on or about September 2, 1929, and in part on or about September 4, 1929, and transported from the State of Washington to the State of Oregon, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On May 20, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17283. Misbranding of canned spinach. U. S. v. 11 Cases of Canned Spinach. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24467. I. S. No. 015209. S. No. 2731.)

On January 21, 1930, the United States attorney for the District of Maryland, 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 11 cases of canned spinach, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the W. N. Clark Co., Rochester, N. Y., on or about October 4, 1929, and had been transported from the State of New York into the State of Maryland, and