

misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Creamery Butter."

Misbranding of the article was alleged in the libel for the reason that each of the packages did not weigh 1 pound net or $\frac{1}{4}$ pound net, as stated upon the labels of the packages, but contained materially less than 1 pound or $\frac{1}{4}$ pound, as stated on the label. Misbranding of the article was alleged for the further reason that the statement on the packages that the weight of said packages was 1 pound net or $\frac{1}{4}$ pound net was false and misleading in that the weight of each of the said packages was materially less than 1 pound net or $\frac{1}{4}$ pound net. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight.

On May 15, 1919, the said Lexington Creamery Co. having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2000, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7340. Adulteration of walnut meats. U. S. * * * v. 7 Barrels of Walnut Meats. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. Nos. 10482, 10483. I. S. Nos. 2028-r, 2029-r. S. No. W-397.)

On or about June 2, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 barrels of walnut meats, consigned by the American Fruit Distributors, Wilmington, Calif., remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on or about May 5, 1919, and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On July 31, 1919, the Parisian Chocolate Co. and the Queen Anne Candy Co., Seattle, Wash., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the good portion of the product be released to said claimants upon the execution of a bond in the aggregate sum of \$550, in conformity with section 10 of the act, and that the unfit portion be destroyed by the United State marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7341. Misbranding of olive oil. U. S. * * * v. 28 Cans of Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. Nos. 10484, 10485, 10486. I. S. Nos. 12941-r, 12942-r, 12943-r, 12944-r. S. No. E-1478.)

On June 3, 1919, 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 of information praying the seizure and condemnation of 28 cans of olive oil, consigned on April 29, 1919, at Peabody, Mass., alleging that the article had been shipped by Spiropulos & Theodore, New York, N. Y., and transported from the State of New York into the Commonwealth of Massachusetts, and charging misbranding in violation