12414. Adulteration of butter. U. S. v. 12 Cubes of Butter. Decree of condemnation and forfeiture. Product released under bond to be reconditioned. (F. & D. No. 18434. I. S. No. 20029-v. S. No. W-1485.)

On March 1, 1924, 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 praying the seizure and condemnation of 12 cubes of butter remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Mutual Creamery Co. from Lewiston, Idaho, February 15, 1924, and transported from the State of Idaho into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "L 46 Mutual Creamery Co. Seattle, Washington."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive moisture, had been mixed and packed with the said article, so as to reduce, lower, or injuriously affect its quality. Adulteration was alleged for the further reason that a valuable constituent, to wit, butterfat, had been wholly or in part abstracted from the said article.

On March 6, 1924, the Mutual Creamery Co., Lewiston, Idaho, claimant, having admitted the allegations of the libel and confessed judgment, a decree 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 the costs of the proceedings and the execution of a bond in the sum of $1,000, in conformity with section 10 of the act, conditioned in part that the product be reworked under the supervision of this department.

HOWARD M. GORE, *Secretary of Agriculture.*

12415. Misbranding and alleged adulteration of flour. U. S. v. 671 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18430. I. S. No. 20793-v. S. No. W-1483.)

On February 28, 1924, 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 praying the seizure and condemnation of 671 sacks of flour remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Crown Mills Co., from Portland, Oreg., November 16, 1923, and transported from the State of Oregon into the State of Washington, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Baker Girl * * * Family Flour Bleached Crown Mills Portland—Tacoma—Seattle 49 Lbs. Baker Girl."

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

Misbranding was alleged for the reason that the statement "49 Lbs." was false and misleading and deceived and misled the purchaser, and 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 March 17, 1924, the Crown Mills, claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of the court was entered, finding the product to be misbranded and ordering its condemnation, and it was further ordered by the court 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 $350, in conformity with section 10 of the act.

HOWARD M. GORE, *Secretary of Agriculture.*

12416. Adulteration and misbranding of canned oysters. U. S. v. 75 Cases of Canned Oysters. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18707. I. S. Nos. 5248-v, 5249-v. S. No. C-4403.)

On May 24, 1924, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 75 cases of canned oysters at Nebraska City, Nebr., alleging that the article had been shipped by the Marine Products Co. (Inc.) from Gulfport, Miss., on or about February 4, 1924, and transported from the State of Mississippi into the State of Nebraska, and charging adulteration and