velop sturdy bodies, and was not rich in vitamins; and in that the statement borne on the label, "Guaranteed to comply with the Pure Food Laws", was misleading since it created the impression that the article had been examined and approved by the Government of the United States and that the Government guaranteed that it complied with the laws and that it did so comply; whereas it had not been approved by the Government, the Government did not guarantee that it complied with the law, and it did not so comply.

On September 8, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

26358. Misbranding of salad oil. U. S. v. 48 Gallon Cans, 114 ½-Gallon Cans, and 114 Quart Cans of Salad Oil. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. no. 37891. Sample nos. 71168–B, 71169–B, 71170–B.)

This case involved salad oil that was short in volume.

On July 22, 1936, the United States attorney for the District of Nevada, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 276 cans of salad oil at Reno, Nev., alleging that the article had been shipped in interstate commerce on or about April 29 and June 9, 1936, by Durkee Famous Foods from Berkeley, Calif., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Durkee's Salad Oil One Gallon [or "One Half Gallon" or "One Quart"] Durkee Famous Foods Inc. Berkeley, Calif."

The article was alleged to be misbranded in that the statements on the labels, "One Gallon", "One Half Gallon", and "One Quart", were false and misleading and tended to deceive and mislead the purchaser when applied to a product that was short in volume.

On September 28, 1936, the Glidden Co., doing business as Durkee Famous Foods, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond to be relabeled.

M. L. WILSON, *Acting Secretary of Agriculture.*

26359. Adulteration and misbranding of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation. Product released under bond. (F. & D. no. 37894. Sample no. 56221–B.)

This case involved butter that was deficient in milk fat.

On July 7, 1936, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 tubs of butter at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about May 5, 1936, by Wilson & Co., from Chicago, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product which contained not less than 80 percent by weight of milk fat.

The article was alleged to be misbranded in that it was sold as and purported to be butter, when it should have contained not less than 80 percent by weight of milk fat as prescribed by the act of March 4, 1923, which the article purported to be.

On July 27, 1936, Wilson & Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be brought up to the legal standard.

M. L. WILSON, *Acting Secretary of Agriculture.*

26360. Adulteration of butter. U. S. v. 22 Cubes and 15 Cubes of Butter. Decree of condemnation. Product ordered released under bond. (F. & D. no. 37896. Sample no. 69841–B.)

This case involved butter that was deficient in milk fat.

On June 30, 1936, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 37 cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about June 15, 1936, by the Omaha Cold Storage Co., from