form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statements made were incorrect.

On May 25, 1934, 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.

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

22517. Misbranding of process butter. U. S. v. 13 Cases of Process Butter. Default decree of condemnation and forfeiture. Product delivered to charitable organizations. (F. & D. no. 32369. Sample no. 55695–A.)

Sample cartons of butter taken from the shipment involved in this case were found to contain less than 1 pound, the labeled weight.

On January 18, 1934, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 cases of process butter at Memphis, Tenn., alleging that the article had been shipped in interstate commerce, on or about January 9, 1934, by the Cloverleaf Butter Co., from Birmingham, Ala., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Carton) "Cloverleaf Brand Process Butter Manufactured by Cloverleaf Butter Company * * * Birmingham, Alabama."

It was alleged in the libel that the article was misbranded in that the statement on the carton, "One Pound", was false and misleading and deceived and misled the purchaser, since the cartons contained less than 1 pound of butter.

On May 5, 1934, 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 delivered to charitable organizations.

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

22518. Misbranding of apple butter. U. S. v. 24 Cases of Apple Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32392. Sample no. 50626–A.)

Sample jars of apple butter taken from the shipment involved in this case were found to contain less than 2 pounds, the labeled weight.

On March 19, 1934, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 cases of apple butter at Indianapolis, Ind., alleging that the article had been shipped in interstate commerce, on or about February 13, 1934, by the Goodwin Preserving Co., from Louisville, Ky., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Jar) "Ko-We-Ba Brand with pure apple cider, contents 2 lbs. pure Apple Butter."

It was alleged in the libel that the article was misbranded in that the statement "Contents 2 lb.", borne on the label, was false and misleading and tended to deceive and mislead the purchaser, and 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, since the statement made was incorrect.

On May 21, 1934, 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.

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

22519. Misbranding of salad oil. U. S. v. 18 and 23 Cans of Salad Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32409. Sample nos. 67422–A, 67423–A.)

This case involved quantities of a product consisting chiefly of cottonseed oil which was labeled to create a misleading impression because of the prominence given the statement "Pure Olive Oil." Sample cans taken from both lots were found to be short volume.

On March 21, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 18 alleged gallon cans and 23 alleged half-gallon cans of salad oil at Newark, N. J., alleging that the