Misbranding was alleged, under the provisions of the law relating to food, in that the statement on the label, "Cordial (not a confection)", was false and misleading and tended to deceive and mislead the purchaser.

On April 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 destroyed by the United States marshal.

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

22289. Misbranding of canned orange juice. U. S. v. 8½ Cases of Canned Orange Juice. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30512. Sample no. 30448–A.)

Sample cans of orange juice taken from the shipment in this case were found to contain less than 8 ounces, the labeled volume.

On May 28, 1933, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 8½ cases of canned orange juice at Lynchburg, Va., alleging that the article had been shipped in interstate commerce on or about August 30, 1932, by the Orange County Canners, Inc., from Los Angeles, Calif., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Vita Vac Brand Natural California Orange Juice contents 8 fl. ozs. * * * Orange County Canners, Inc., Fullerton, California."

It was alleged in the libel that the article was misbranded in that the statement "Contents Eight Fl. Ozs.", 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, since the statement made was incorrect.

On December 4, 1933, 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.*

22290. Adulteration of butter. U. S. v. Theodore L. Hoef (Monroe City Creamery). Plea of guilty. Fine, $50. (F. & D. no. 30257. Sample no. 4170–A.)

This case was based on an interstate shipment of butter which contained less than 80 percent by weight of milk fat.

On October 13, 1933, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Theodore L. Hoef, trading as the Monroe City Creamery, Monroe City, Mo., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about May 19, 1932, from the State of Missouri into the State of Illinois, of a quantity of butter which was adulterated.

It was alleged in the information that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which must contain not less than 80 percent by weight of milk fat as defined and required by the act of Congress of March 4, 1923, which the article purported to be.

On December 4, 1933, the defendant entered a plea of guilty, and the court imposed a fine of $50.

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

22291. Adulteration of canned shrimp. U. S. v. 400 Cases, et al., of Canned Shrimp. Decrees of condemnation and forfeiture. Portion of product destroyed. Remainder released under bond. (F. & D. nos. 31829, 31876. Sample nos. 60519–A, 60520–A, 60535–A.)

These cases involved shipments of canned shrimp which was found to be in part decomposed.

On January 10 and January 24, 1934, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 525 cases of canned shrimp at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about November 27, 1933, by the Dixie Fisheries, Inc., from Biloxi, Miss., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled, "Mount