

violation of the Food and Drugs Act, as amended, from the State of Tennessee into the State of Texas, of a quantity of horse feed which was adulterated and misbranded. The article was labeled in part: (Tag) "100-Lbs. Net International Dan Patch Special Horse Feed Manufactured by International Sugar Feed No. Two Co. Memphis, Tenn. * * *."

Examination of the article by the Bureau of Chemistry of this department showed that it was badly heated, caked, musty, and moldy, and that a large part thereof was unfit for feeding purposes; fifteen sacks weighed by the said bureau showed a total gross weight of 1,422 pounds.

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

Misbranding was alleged for the reason that the statement, "100 Lbs. Net when packed," borne on the sacks containing the article and the statement, to wit, "100 Lbs. Net," borne on the tags attached to the said sacks, regarding the article, were false and misleading in that the said statements represented that each of the said sacks contained 100 pounds net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said sacks contained 100 pounds net of the article, whereas, in truth and in fact, each of the said sacks did not contain 100 pounds net of the said article but did contain a less amount. Misbranding was alleged 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 June 2, 1922, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10558. Adulteration of butter. U. S. * * * v. Homestead Creamery Co., a Corporation. Plea of guilty. Fine, \$5. (F. & D. No. 15843. I. S. No. 10976-t.)

On February 27, 1922, 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 an information against the Homestead Creamery Co., a corporation, Mitchell, Nebr., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 21, 1921, from the State of Nebraska into the State of Colorado, of a quantity of butter which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed an excess of moisture and a deficiency of butter fat.

Adulteration of the article was alleged in the information for the reason that a product deficient in milk fat and which contained excessive added water had been substituted for butter, which the said article purported to be, and for the further reason that a valuable constituent of the article, to wit, milk fat, had been in part abstracted.

On June 12, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$5.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10559. Adulteration of lemons. U. S. * * * v. 406 Boxes * * * of Lemons. Decree by consent providing for release of the product under bond. (F. & D. No. 16396. Inv. No. 42585. S. No. C-3654.)

On or about June 2, 1922, the United States attorney for the Eastern District of Missouri, 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 406 boxes of lemons, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Angeles Brokerage Co., Los Angeles, Calif., on or about May 22, 1922, and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part, "Lad Brand Imperial Distributing Company, Los Angeles, California." The remainder of the article was labeled in part, "Lassie Brand * * *"

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

On June 6, 1922, the Sommer Fruit Co., St. Louis, Mo., claimant, having admitted the allegations of the libel and having consented to the entry of a