

as to reduce and lower and injuriously affect its quality and strength, and for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article.

Misbranding was alleged for the 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 30, 1923, T. F. Gallagher, trading as Gallagher Bros., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment 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 it be reprocessed under the supervision of this department and that the tubs be marked with the net contents thereof.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

**11656. Adulteration of oranges. U. S. v. 500 Bushels of Oranges, Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 17580. I. S. Nos. 3498-v, 3499-v. S. No. E-4421.)

On June 27, 1923, the United States attorney for the Northern District of Georgia, 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 500 bushels of oranges at Atlanta, Ga., alleging that the article had been shipped by G. J. Anderson [E. K. Anderson], from Florence Villa, Fla., on or about June 25, 1923, and transported from the State of Florida into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, decomposed oranges and tree-dried oranges, which were inedible and unmerchantable, had been mixed with the article so as to reduce, lower, and injuriously affect its quality, for the further reason that inedible, dry, and unmerchantable oranges had been substituted in part for edible, juicy, and merchantable oranges, and for the further reason that the said article consisted in part of a decomposed vegetable substance, to wit, rotten oranges, tree-dried oranges, and inedible oranges.

On June 28, 1923, W. F. Allen, claimant having admitted the allegations of the libel and consented to the entry of a decree, judgment 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 \$300, in conformity with section 10 of the act, conditioned in part that the claimant separate all the inedible, dry, or rotten oranges from the product and that they be not disposed of in violation of the law.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

**11657. Adulteration of butter. U. S. v. 33 Tubs of Butter. Decree of condemnation. Product released under bond.** (F. & D. No. 17589. I. S. No. 1858-v. S. No. E-4424.)

On July 2, 1923, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 33 tubs of butter, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Lebanon Creamery Co., Lebanon, Mo., on or about June 1, 1923, and transported from the State of Missouri into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength. Adulteration was alleged for the further reason that a substance, to wit, a product deficient in milk fat and high in moisture, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in whole or in part for butter, which the said article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, butterfat, had been in whole or in part abstracted.

On July 6, 1923, H. P. Belknap, trading as George A. Fales Co., Boston, Mass., having entered an appearance as claimant for the property and having