article was labeled in part: (Retail package) "Product of Vermont * * * 5 Lbs. Net"; (wholesale package) "H 60 Lbs. Net."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that a valuable constituent of the said article, to wit, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the name of another article, to wit, butter, 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 in terms of weight, since the statement made was not correct.

On July 22, 1924, the S. S. Pierce Co., Boston, Mass., having appeared as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

HOWARD M. GORE, *Secretary of Agriculture.*

12503. Adulteration and misbranding of canned clams. U. S. v. 48 Cases of Canned Clams. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 17082. I. S. No. 1723-v. S. No. E-4248.)

On December 26, 1922, the United States attorney for the District of New Hampshire, 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 48 cases of canned clams at Concord, N. H., alleging that the article had been shipped by Andrew Kerr Co., from Barnstable, Mass., on or about December 4, 1922, and transported from the State of Massachusetts into the State of New Hampshire, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Fancy Clams Contents 8 oz." (design showing clams).

Adulteration of the article was alleged in the libel for the reason that excessive brine had been mixed and packed with and substituted wholly or in part for clams.

Misbranding was alleged for the reason that the statement, "Fancy Clams Contents 8 oz.," together with a design showing clams, was false and misleading and deceived and misled purchasers. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On December 4, 1923, 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 sold by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture.*

12504. Adulteration of pickles. U. S. v. 75 Barrels of Pickles. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18531. I. S. No. 11986-v. S. No. W-1498.)

On April 1, 1924, the United States attorney for the Southern District of California, 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 75 barrels of pickles remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the O. B. Allen Co., from Salt Lake City, Utah, on or about November 12, 1923, and transported from the State of Utah into the State of California, and charging adulteration in violation of the food and drugs act.

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

On April 22, 1924, 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.

HOWARD M. GORE, *Secretary of Agriculture.*

12505. Adulteration of Brazil nuts. U. S. v. 4 Barrels of Brazil Nuts. Default decree of condemnation and forfeiture. Product ordered disposed of according to law. (F. & D. No. 17311. I. S. No. 7987-v. S. No. W-1325.)

On March 2, 1923, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed