

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

On February 21, 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.*

12619. Adulteration and misbranding of wheat gray shorts and screenings. U. S. v. 166 Sacks and 337 Sacks of Wheat Gray Shorts and Screenings. Consent decrees of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 731-C. I. S. No. 12316-v. S. No. C-4315.)

On February 25, 1924, the United States attorney for the District of Kansas, acting upon a report by the Kansas State Board of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 503 sacks of wheat gray shorts and screenings, at Fort Scott, Kansas, alleging that the article had been shipped by the Kansas Flour Mills Co. from North Kansas City, Mo., on or about January 31, 1924, and transported from the State of Missouri into the State of Kansas, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "100 Lbs. When Packed Wheat Gray Shorts & Screenings Not exceeding 8% of Screenings. Guaranteed Analysis Protein, not less than 16.00% * * * Fiber, not more than 6.5%. Licensed and Registered by The Kansas Flour Mills Company, Kansas City, Missouri."

Adulteration of the article was alleged in the libels for the reason that ground bran had been substituted in part for gray shorts.

Misbranding was alleged in substance for the reason that the statement on the label to the effect that the article contained not more than 6.5 per cent of fiber was false, for in truth and in fact the article contained more than 6.5 per cent of fiber. 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, so as to deceive and mislead the purchaser thereof, and for the further reason that it was in package form and the contents were not correctly stated on the outside of the said package.

On March 7, 1924, The Kansas Flour Mills Co., Kansas City, Mo., claimant, having consented to the entry of a decree, judgments of condemnation were 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 bonds in the aggregate sum of \$750, in conformity with section 10 of the act, conditioned in part that it be rebranded.

HOWARD M. GORE, *Secretary of Agriculture.*

12620. Adulteration and misbranding of butter. U. S. v. 20 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18863. I. S. No. 13184-v. S. No. E-4888.)

On or about July 18, 1924, the United States attorney for the Southern District of New York, 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 20 tubs of butter, consigned on or about July 8, 1924, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Farmers Cooperative Creamery Assoc. from Big Rapids, Mich., and transported from the State of Michigan into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that substances deficient in butterfat had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, butter.

On September 2, 1924, the Farmers Cooperative Creamery Assoc., 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