

case was submitted to the jury, which returned a verdict of guilty. The defendant was thereupon fined \$150.

W. M. JARDINE, *Secretary of Agriculture.*

12830. Adulteration and misbranding of scallops. U. S. v. Eacho & Co., a Corporation. Plea of guilty. Fine, \$30. (F. & D. No. 19234. I. S. No. 15080-v.)

On November 11, 1924, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Eacho & Co., a corporation, trading at Washington, D. C., alleging that on March 13, 1924, the said company did offer for sale and sell in the District of Columbia, in violation of the food and drugs act, a quantity of scallops which were adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, water, 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 scallops, which the article purported to be.

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

On November 11, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$30.

W. M. JARDINE, *Secretary of Agriculture.*

12831. Adulteration and misbranding of butter. U. S. v. 20 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18286. I. S. No. 980-v. S. No. E-4728.)

On February 4, 1924, the United States attorney for the Southern 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 20 cases of butter, at Savannah, Ga., alleging that the article had been shipped by the Community Creamery Co., from Chester S. C., on or about January 25, 1924, and transported from the State of South Carolina into the State of Georgia, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Community Creamery Co. * * * Extra Fancy Creamery Butter * * * One Pound Net."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, a product deficient in milk fat, 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 article purported to be. Adulteration was alleged for the further reason that a valuable constituent, to wit, butterfat, had been in whole or in part abstracted from the said article.

Misbranding was alleged for the reason that the statement in the labeling "One Pound Net" 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.

On February 7, 1924, the Community Creamery Co., Chester, S. C., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant to be reworked and relabeled upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

W. M. JARDINE, *Secretary of Agriculture.*

12832. Misbranding of butter. U. S. v. Swift & Co., a Corporation. Pleas of guilty. Fines, \$600 and costs. (F. & D. Nos. 17918, 18368. I. S. Nos. 11356-v, 11357-v, 11515-v, 11516-v.)

On June 20, 1924, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district two informations against Swift & Co., a corporation, trading at Denver, Colo., alleging shipment by said company, in violation of the food and drugs act as amended, on or about February 23, 1923, from the State of Colorado into the State of Texas, and on or about