

creme custard, whereas it was not coconut creme custard, in that it contained no eggs nor sugar.

On January 30, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150 and costs.

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

**13025. Adulteration and misbranding of butter. U. S. v. Cabot Farmers Co-operative Creamery. Plea of guilty. Fine, \$10. (F. & D. No. 18327. I. S. Nos. 1773-v, 1779-v.)**

On July 17, 1924, the United States attorney for the District of Vermont, 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 Cabot Farmers Co-operative Creamery, a corporation, Cabot, Vt., alleging shipment by said company, in violation of the food and drugs act as amended, in part on or about June 19, 1923, and in part on or about June 27, 1923, from the State of Vermont into the State of Massachusetts, of quantities of butter, a portion of which was adulterated and the remainder of which was misbranded.

Analyses by the Bureau of Chemistry of this department of three samples of the product consigned June 19, 1923, showed that the average butterfat of the said samples was 77.97 per cent.

Adulteration of the portion of the article consigned June 19, 1923, was alleged in the information for the reason that a product deficient in butterfat and containing an excessive amount of moisture had been substituted for butter, which the said article purported to be. Adulteration was alleged for the further reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923.

Misbranding was alleged with respect to the consignment of June 27 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 October 7, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

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

**13026. Misbranding of cottonseed meal. U. S. v. 80 Sacks of Cottonseed Meal. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 18705. I. S. No. 22255-v. S. No. E-4846.)**

On May 22, 1924, the United States attorney for the District of Maryland, 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 80 sacks of cottonseed meal, at Mt. Airy, Md., consigned about January 29, 1923, alleging that the article had been shipped by W. C. Nothern, from Kosciusko, Miss., and transported from the State of Mississippi into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "Bee Brand Cottonseed Meal \* \* \* Protein 41.12%, Ammonia 8.00%, \* \* \* Nitrogen 6.58%, \* \* \* W. C. Nothern, Shipper, Memphis, Tenn."

Misbranding of the article was alleged in the libel for the reason that the statements, to wit, "Protein 41.12%, Ammonia 8.00%, Nitrogen 6.58%," borne on the labeling, were false and misleading and deceived and misled the purchaser, in that the said statements represented that the article contained 41.12 per cent of protein, whereas it contained a less amount.

On January 29, 1925, 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 relabeled, "Cottonseed Meal 100 Pounds Net, Protein 39%, Crude Fibre 12%, Crude Fat 6%, Ammonia 7.56%, Nitrogen 6.20%," and sold by the United States marshal.

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

**13027. Adulteration of shell eggs. U. S. v. 8 Cases of Eggs. Default decree of condemnation, forfeiture, and sale or destruction. (F. & D. No. 19088. I. S. No. 20702-v. S. No. W-1595.)**

On or about October 6, 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 a libel praying the seizure