

Misbranding of the article was alleged in the libel for the reason that the statements regarding the contents of the said packages, borne on the labels, namely, "One Pound Net," "8 Ounces Net," "16 Ozs. Net," and "10 Ounces Net," as the case might be, were false and misleading and deceived and misled the purchaser. Misbranding was alleged 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 packages, since the quantity stated was not correct.

On January 27, 1926, Brown & Haley, Tacoma, Wash., claimant, having admitted the allegations of the libel and having 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 \$250, conditioned in part that it be relabeled in a manner satisfactory to this department, and not be sold or otherwise disposed of contrary to law.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14207. Adulteration of butter. U. S. v. 28 Cubes of Butter. Product found adulterated and ordered released. (F. & D. No. 20992. I. S. No. 1132-x. S. No. W-1926.)

On or about March 12, 1926, 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 seizure and condemnation of 28 cubes of butter, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Idahome Creamery Co., Preston, Idaho, on or about March 3, 1926, and transported from the State of Idaho 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 a product deficient in milk fat had been substituted wholly or in part for butter, and for the further reason that a valuable constituent, namely, milk fat, had been partially abstracted therefrom.

On March 26, 1926, Joseph Thorup, Los Angeles, Calif., having appeared as claimant for the property, and the court having found the product to be adulterated, a decree was entered, ordering that it be released to the claimant upon payment of the costs of the proceedings, and that the bond theretofore executed be exonerated.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14208. Misbranding of salad oil. U. S. v. 14 Cartons of Salad Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 20640. I. S. No. 7908-x. S. No. E-5582.)

On November 21, 1925, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 14 cartons, each purporting to contain 1-gallon cans of salad oil, remaining in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by Joseph Mariani, from New York, N. Y., on or about September 20, 1925, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Contadina Brand Oil Superior Quality Pure Vegetable Salad Oil 0.98 Of One Gallon Or 7½ Lbs. Net."

Misbranding of the article was alleged in the libel for the reason that the statements, to wit, (Can) "0.98 Of One Gallon Or 7½ Lbs. Net," (carton) "1 Gal. Cans," were false and misleading and deceived and misled the purchaser. Misbranding was alleged 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 April 16, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the statements of contents be obliterated, and the product sold by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*