

condemnation of 100 cases of herring roe, remaining in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped by A. J. Lewis, from Walnut Point, Va., on or about May 29, 1925, and transported from the State of Virginia 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: "Robin Hood Brand Herring Roe Contents 10 Oz.—283 Grams R. C. Williams & Co., Inc., Distributors, New York."

It was alleged in the libel that the article was adulterated in that a substance, excessive brine, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "Contents 10 Oz.—283 Grams," borne on the label, 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 March 6, 1928, the R. C. Williams Georgia Corporation having appeared as claimant for the property, and the product having been released to the said claimant and properly relabeled in compliance with the Federal food and drugs act, it was ordered by the court that the case be closed upon payment of costs by the claimant.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15710. Adulteration and misbranding of butter. U. S. v. 39 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22734. I. S. No. 23594-x. S. No. 770.)

On April 16, 1928, the United States attorney for the Eastern 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 39 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Rice Lake Creamery, Cokato, Minn., alleging that the article had been shipped from Cokato, Minn., on or about April 12, 1928, and transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance containing less than 80 per cent of butterfat had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article.

On April 30, 1928, the Rice Lake Creamery, Cokato, Minn., having appeared as claimant for the property, 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 \$1,200, conditioned in part that it be reconditioned under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

15711. Adulteration and misbranding of canned oysters. U. S. v. 75 Cases of Oysters. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21702. I. S. No. 10852-x. S. No. W-2105.)

On March 3, 1927, the United States attorney for the Northern 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 75 cases of oysters, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Shelmore Oyster Products Co., from Charleston, S. C., September 28, 1926, and transported from the State of South Carolina into the State of California, and charging adulteration and misbranding, in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Maid-Rite Brand Selected Oysters Net Contents 5 Oz."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive brine, had been mixed and packed therewith so as to