

at Chicago, Ill., alleging that the article had been shipped by the Rock Falls Creamery Co., from Caryville, Wis., July 16, 1929, and transported from the State of Wisconsin into the State of Illinois, 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, to wit, excessive water, had been mixed and packed with the said article, so as to reduce and lower and injuriously affect its quality and strength; for the further reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce, or lower, or injuriously affect its quality or strength and had been substituted wholly or in part for the said article; and for the further reason that the article did not comply with the standard established by Congress.

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

On August 30, 1929, Edward Macek, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product adulterated and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be reprocessed, under the supervision of this department, so that it contain not less than 80 per cent of butterfat.

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

16915. Adulteration and alleged misbranding of butter. U. S. v. 17 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24233. I. S. No. 020624. S. No. 2328.)

On September 9, 1929, the United States attorney for the Northern District of Illinois, 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 17 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the York Cooperative Creamery Association, from Williamsburg, Iowa, August 30, 1929, and transported from the State of Iowa into the State of Illinois, 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 excessive water had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength; in that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article; in that a valuable constituent, to wit, butterfat, had been in part abstracted from the article; and in that it contained less than 80 per cent of butterfat.

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

On September 12, 1929, the H. C. Christians Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product adulterated and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be reprocessed so that it contain not less than 80 per cent of milk fat.

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

16916. Adulteration of canned frozen eggs. U. S. v. 382 Cans of Frozen Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23801. I. S. No. 02737. S. No. 2022.)

On or about June 11, 1929, the United States attorney for the Western 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 seizure and condemnation of 382 cans of frozen eggs, remaining in the original unbroken packages at Buffalo, N. Y., consigned by Armour & Co., Duluth, Minn., alleging that the article had been shipped from Duluth, Minn., on or about November 29, 1929 (1928), and transported from the State of Minnesota into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Whole Eggs * * * Anglo American Provision Co., Distributors, Chicago, U. S. A."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a decomposed animal substance.

On June 24, 1929, Armour & Co., claimant, having admitted the material 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 costs and the execution of a bond in the sum of \$5,800, conditioned in part that it be salvaged under the supervision of this department and the portion found unfit for human consumption denatured.

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

16917. Adulteration and misbranding of vanilla extract. U. S. v. 210 Bottles of Vanilla Extract. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 24265, 24266. I. S. Nos. 024811, 024812. S. Nos. 2508, 2509.)

On November 18, 1929, the United States attorney for the District of Nebraska, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 210 bottles of vanilla extract, remaining in the original unbroken packages in part at Fort Omaha, Nebr., and in part at Fort Crook, Nebr., alleging that the article had been shipped by the Atlanta Supply Co., Atlanta, Ga., in two consignments, on or about August 29 and August 30, 1929, respectively, and transported from the State of Georgia into the State of Nebraska, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Flavoring Extract Vanilla 40% Alcohol * * * The Atlanta Supply Co., Atlanta, Georgia."

It was alleged in the libel that the article was adulterated in that an artificially colored product deficient in vanilla had been substituted in part for the said article, and in that it was colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statement on the label, "Flavoring Extract Vanilla," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On December 27, 1929, 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.

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

16918. Adulteration and misbranding of preserves. U. S. v. 10 Cases of Strawberry Preserves, et al. Decree of forfeiture entered. Products released under bond. (F. & D. No. 23648. I. S. Nos. 07867, 07868, 07869. S. No. 1854.)

On April 20, 1929, the United States attorney for the District of Idaho, 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 10 cases of strawberry preserves, 10 cases of raspberry preserves, and 5 cases of loganberry preserves, remaining in the original unopened packages at Twin Falls, Idaho, alleging that the articles had been shipped by the Kerr Conserving Co., from Portland, Oreg., on or about March 8, 1929, and transported from the State of Oregon into the State of Idaho, and charging adulteration and misbranding in violation of the food and drugs act. The said cases each contained a number of cans labeled in part: "Kerr's Strawberry (or "Raspberry" or "Loganberry") Preserves Compound Sugar Pectin Syrup 45% Kerr Conserving Co., Portland, Ore."

It was alleged in the libel that the articles were adulterated in that pectin, sugar in excess, and acid had been mixed and packed with and substituted in part for strawberry, raspberry, and loganberry preserves, which the articles purported to be.

Misbranding was alleged for the reason that the statements "Strawberry," "Raspberry," and "Loganberry" preserves, borne on the labels, were false and misleading and deceived and misled the purchaser; and in that the articles were imitations of and were offered for sale under the distinctive names of other articles.

On July 15, 1929, the Kerr Conserving Co., Portland, Oreg., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of forfeiture was entered, and it was ordered by the court that the products be released to the said claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that they should not be sold or disposed of contrary to law.

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