

Misbranding was alleged with respect to a portion of the article for the reason that it was food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents.

On May 20, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17264. Misbranding of cottonseed cake screenings. U. S. v. 100 Sacks of Cottonseed Cake Screenings. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 24221. I. S. No. 025309. S. No. 2476.)

On November 8, 1929, the United States attorney for the District of Kansas, 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 100 sacks of cottonseed cake screenings, remaining in the original unbroken packages at Junction City, Kans., alleging that the article had been shipped by the International Vegetable Oil Co., from Dallas, Tex., on or about October 29, 1929, and transported from the State of Texas into the State of Kansas, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Guaranteed Analysis Protein not less than 43%. Choctaw Sales Co., Kansas City, Mo. Choctaw Quality Cottonseed Cake and Meal."

It was alleged in the libel that the article was misbranded in that the statement, "Guaranteed Analysis Protein not less than 43%," borne on the label, was false and misleading, and misled the purchaser to believe that the article contained not less than 43 per cent of protein, whereas it contained a less amount.

On April 5, 1930, the International Vegetable Oil Co., Dallas, Tex., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation 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 \$500, conditioned in part that it be relabeled to show the true protein content, to wit, 41 per cent of protein.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17265. Adulteration and misbranding of butter. U. S. v. 5 Tubs of Butter. Consent decree entered. Product ordered released under bond to be reprocessed. (F. & D. No. 24674. I. S. No. 029024. S. No. 2987.)

On March 10, 1930, the United States attorney for the District of New Jersey, 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 5 tubs of butter at Newark, N. J., alleging that the article had been shipped by the Armour Creameries from Mankato, Minn., on or about January 2, 1930, and transported from the State of Minnesota into the State of New Jersey, 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 deficient in butterfat had been substituted wholly or in part for the said article, and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

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

On April 16, 1930, Armour & Co., claimant, having admitted the allegations of the libel and having consented that a decree be entered condemning the product, judgment was entered ordering that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$200, conditioned in part that it be reprocessed to meet the requirements of the Federal food and drugs act, and all Federal and State laws.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17266. Adulteration and misbranding of butter. U. S. v. 30 Tubs of Butter. Consent decree entered. Product ordered released under bond to be reprocessed. (F. & D. No. 24831. I. S. Nos. 027700, 027751. S. No. 3033.)

On March 24, 1930, the United States attorney for the District of New Jersey, 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 30 tubs of butter at Newark, N. J., alleging that the article had been shipped by the St. Clair Cooperative Creamery Association,