

reworked under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17679. Misbranding and alleged adulteration of sirup. U. S. v. 418 Cases of Sirup. Product adjudged misbranded and ordered released under bond. (F. & D. No. 24983. I. S. Nos. 6801, 6802, 6803. S. No. 3339.)

Samples of a product labeled "Pure Cane Syrup," from the herein described interstate shipment having been found to contain sugar sirup, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Texas.

On August 15, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 418 cases of sirup, remaining in the original packages at Houston, Tex., alleging that the article had been shipped by the Mayer Sugar & Molasses Co. (Inc.), from New Orleans, La., in part on or about April 18, 1930, and in part on or about June 27, 1930, and had been transported from the State of Louisiana into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Pure Cane Syrup Made in the Old Way on the Louisiana Plantation. Packed by Mayer Sugar & Molasses Company, Inc., New Orleans, La."

It was alleged in the libel that the article was adulterated in that sugar sirup had been mixed and packed therewith so as to lower and injuriously affect its quality and strength, and had been substituted in part for pure cane sirup which the said article purported to be.

Misbranding was alleged for the reason that the statements on the labels of the cans, "100 per cent Pure Cane Syrup Made in the Old Way on the Louisiana Plantation," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, to wit, pure cane sirup.

On September 12, 1930, Crausbay-Alexander & Co., having appeared as claimants for the property, a decree was entered adjudging the product misbranded, and it was ordered by the court that the said product be released to the claimants upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it be relabeled so that it comply with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17680. Misbranding of salad oil. U. S. v. 474 Cartons, et al., of Salad Oil. Consent decree of forfeiture entered. Product released under bond. (F. & D. No. 23909. I. S. Nos. 03883, 03884, 03885. S. No. 2127.)

Sample cans of salad oil from the herein described shipment having been found to contain less than the declared volume, the Secretary of Agriculture reported the matter to the United States attorney for the District of Connecticut.

On August 2, 1929, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 474 cartons (each containing 6 gallon cans) and 3 gallon cans; 74 cartons (each containing 12 half-gallon cans) and 9 half-gallon cans; and 49 cartons (each containing 24 quarter-gallon cans) and 21 quarter-gallon cans of salad oil, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by the Van Camp Packing Co., from Louisville, Ky., on or about July 3, 1929, and had been transported from the State of Kentucky into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Cans) "Contadina Brand Oil Pure Vegetable Salad Oil Contadina Oil Co. One Gallon Net [or "One Half Gallon Net" or "One Quarter Gallon Net"]."

It was alleged in the libel, among other allegations, that the article was misbranded in that the statements "One Gallon Net," "One Half Gallon Net," and "One Quarter Gallon Net," borne on the labels of the 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 packages, since the quantities stated were not correct.

On September 16, 1930, the Van Camp Packing Co., claimant, having admitted the allegations as to underweight appearing in the libel and having consented to the entry of a decree, judgment of 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 \$500, conditioned in part that the cans found to be short weight be refilled so that they comply with the requirements of the food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17681. Adulteration of blueberries. U. S. v. 8 Crates of Blueberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25063. I. S. No. 2508. S. No. 3350.)

Samples of blueberries from the herein described interstate shipment having been found to contain worms, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On August 20, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 8 crates of blueberries, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by George A. Greenrose, West Rockport, Me., on or about August 18, 1930, and had been transported from the State of Maine into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted wholly or partly of a filthy, decomposed, or putrid vegetable substance.

On September 2, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17682. Adulteration and misbranding of canned sweetpotatoes. U. S. v. 37 Cases of Canned Sweetpotatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24773. I. S. No. 038372. S. No. 3138.)

Samples of canned sweetpotatoes from the herein described interstate shipment having been found to contain decomposed matter, the Secretary of Agriculture reported the facts to the United States attorney for the Eastern District of North Carolina.

On May 21, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 37 cases of canned sweetpotatoes, remaining in the original packages at Raleigh, N. C., alleging that the article had been shipped by John H. Dulany & Son, Fruitland, Md., on or about December 2, 1929, and had been transported from the State of Maryland into the State of North Carolina, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Dulany Sweet Potatoes Extra Standard * * * Packed by John H. Dulany & Son, Fruitland, Maryland."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

Misbranding was alleged for the reason that the statements "Dulany Sweet Potatoes Extra Standard" were false and misleading and deceived and misled the purchaser.

On September 8, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17683. Adulteration and misbranding of butter. U. S. v. 460 Cases, et al., of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25258. I. S. Nos. 6322, 6323, 6331, 6332, 6333. S. No. 3356.)

Samples of print and tub butter from the herein described interstate shipment having been found to contain less than the legal requirement of milk fat, namely, less than 80 per cent of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Louisiana.

On or about July 31, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 460 cases and 105 tubs of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Aberdeen Creamery Co., Aberdeen, Miss., on or about