

and Drugs Act, on or about October 15, 1931, from the State of Mississippi into the State of Louisiana, of a quantity of shell eggs which were adulterated.

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

On April 3, 1933, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

M. L. WILSON, *Acting Secretary of Agriculture.*

21047. Adulteration and misbranding of butter. U. S. v. 15 Cartons of Butter. Decree of condemnation entered. Product released under bond. (F. & D. no. 30104. Sample no. 29838-A.)

This case involved a quantity of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On March 13, 1933, 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 a libel praying seizure and condemnation of 15 cartons of butter at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce, on or about March 7, 1933, by the Western Creamery Co., from Salt Lake City, Utah, to Los Angeles, Calif., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Meadow Brook Butter."

It was alleged in the libel that the article was adulterated in that a product containing less than 80 percent of milk fat had been substituted wholly or in part for butter.

Misbranding was alleged for the reason that the article was labeled in part, "Butter", which was false and misleading, since it contained less than 80 percent of milk fat.

On April 11, 1933, the Western Creamery Co. entered an appearance and claim admitting the allegations of the libel, and filed a bond in the sum of \$300, conditioned that the product would not be disposed of in violation of the law. On April 24, 1933, the product having been released to the claimant and having been reworked and found in compliance with the law, a decree was entered condemning the product and ordering that the release be made permanent upon payment of costs of the proceedings.

M. L. WILSON, *Acting Secretary of Agriculture.*

21048. Misbranding of candy. U. S. v. 38 Cartons and 8 Cartons of Candy. Decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 29932. Sample nos. 16598-A, 16599-A.)

This case involved a shipment of candy, sample packages of which were found to contain less than 1 pound, the declared weight.

On March 14, 1933, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States a libel praying seizure and condemnation of 46 cartons of candy at Boston, Mass., alleging that the article had been shipped in interstate commerce, on or about January 19, 1933, by the McGregor Toffee Co., from Brooklyn, N. Y., to Boston, Mass., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Packages) "McGregor Toffee Manufactured by McGregor Toffee Co., Brooklyn, N. Y., Net Weight 1 Lb."

It was alleged in the libel that the article was misbranded in that the statement on the labels, "Net Weight 1 Lb.", was false and misleading and deceived and misled the purchaser; and for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated on the label was not correct.

On April 5, 1933, C. S. Allen, trading as the McGregor Toffee Co., Brooklyn, N. Y., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the deposit of cash bond in the sum of \$125 conditioned that the packages and wrappers be removed and destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*