

On February 13, 1934, the Fairmont Creamery Co., having filed a claim as owner of the property and having admitted the allegations of the libel and 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 claimant upon payment of costs and the execution of a bond in the sum of \$400, conditioned that it should not be sold or otherwise disposed of in violation of the Federal Food and Drugs Act and all other laws.

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

21954. Misbranding of sirup. U. S. v. 19 Cases of Sirup. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 31844. Sample no. 50967-A.)

Sample cans of sirup taken from the shipment involved in this case were found to contain less than the labeled volume.

On January 17, 1934, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 19 cases of sirup at Cheyenne, Wyo., alleging that the article had been shipped on or about February 10, 1933, by Wheeler-Barnes Co., from Minneapolis, Minn., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Kamo Brand Corn Syrup with Cane Flavor [or "Amber Table Syrup"] Two and One Half Lbs. Net."

It was alleged in the libel that the article was misbranded in that it was labeled so as to deceive and mislead the purchaser, since the cans contained less than the declared amount, 2½ pounds net. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and correctly stated on the outside of the package, since the cans contained less than declared.

On February 3, 1934, Paxton & Gallagher Co., Cheyenne, Wyo., having appeared as claimant for the property 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 claimant, upon payment of costs and the execution of a bond in the sum of \$100, conditioned that it be relabeled under the supervision of this Department.

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

21955. Adulteration of whole frozen eggs. U. S. v. 380 Cans of Whole Frozen Eggs. Decree of condemnation and forfeiture. Product released under bond for separation and destruction of decomposed portion. (F. & D. no. 31848. Sample no. 44201-A.)

This case involved a shipment of frozen eggs that were found to be in part decomposed.

On January 18, 1934, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 380 cans of whole frozen eggs at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about October 18, 1933, by the Jerpe Commission Co., from Omaha, Nebr., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Frigidegs Frozen Strictly Fresh * * * Frigid Food Products, Inc., General Office, Detroit, Mich."

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

On January 19, 1934, the Frigid Food Products, Inc., Baltimore, Md., 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 claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned that no part be sold or disposed of until inspected and approved by this Department. On February 2, 1934, the cans containing decomposed eggs having been segregated and destroyed, the bond was ordered exonerated.

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

21956. Misbranding of salad oil. U. S. v. 288 Cases, et al., of Salad Oil. Consent decrees entered. Product ordered released and containers destroyed. (F. & D. nos. 31849, 31872, 31946. Sample nos. 52133-A, 52134-A, 52145-A, 52147-A.)

These cases involved a product consisting principally of cottonseed oil that was labeled to convey the impression that it was olive oil. Sample cans