

4285. Adulteration of butter. U. S. * * * v. 25 Tubs of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6710. I. S. No. 3815-k. S. No. E-351.)

On July 8, 1915, the United States attorney for the Southern 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 for the seizure and condemnation of 25 tubs of butter, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the product had been shipped on or about July 2, 1915, and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. Each of the tubs bore a tag reading, in part: "B. F. McDowell, New York, N. Y."

Adulteration was alleged in the libel for the reason that said article of food consisted in particular [part] of what is known as butter scrapings, and an examination of the same showed that it was moldy all through and wholly unfit for food purposes, contrary to the provisions of section 7, subdivision 6 under "Food," of the Food and Drugs Act.

On July 28, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*