

4779. Adulteration of butter. U. S. * * * v. 1 Barrel * * * and 1 Tub of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7415. I. S. Nos. 508-1, 509-1. S. No. E-604.)

On May 8, 1916, 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 1 barrel and 1 tub of butter, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Merchants' Cold Storage & Warehouse Co., Providence, R. I., and transported from the State of Rhode Island into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "* * * From Merchants Cold Storage & Warehouse Co., Providence, R. I. * * *."

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a filthy, decomposed, and putrid animal substance, to wit, moldy, rancid, filthy, and decomposed butter.

On June 8, 1916, 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.*