

11876. Adulteration of butter. U. S. v. 269 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 17651. I. S. No. 501-v. S. No. E-4447.)

On July 16, 1923, 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 praying the seizure and condemnation of 269 tubs of butter, remaining unsold in the original unbroken packages at New York, N. Y., consigned by Pelstring-Erickson Creamery Co., from Canby, Minn., alleging that the article had been shipped from Canby, Minn., on or about June 29, 1923, and transported from the State of Minnesota into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat and containing excessive moisture had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in whole or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent, butterfat, had been in whole or in part abstracted.

On August 15, 1923, the Pelstring-Erickson Creameries, Inc., Luverne, Minn., claimant, 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 said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$7,000, in conformity with section 10 of the act, conditioned in part that it be delivered to the factory to be reworked and reprocessed to the satisfaction of this department.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11877. Adulteration of butter. U. S. v. 127 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 17652. I. S. No. 372-v. S. No. E-4448.)

On July 16, 1923, 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 praying the seizure and condemnation of 127 tubs of butter, remaining unsold in the original unbroken packages at New York, N. Y., consigned by Hanska & Linden, from Hanska, Minn., alleging that the article had been shipped from Hanska, Minn., on or about June 19, 1923, and transported from the State of Minnesota into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat and containing excessive moisture had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in whole or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent, butterfat, had been in whole or in part abstracted.

On August 7, 1923, the Minnesota Cooperative Creameries Assoc., Inc., claimant, 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 said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,048, in conformity with section 10 of the act, conditioned in part that it be shipped to the factory and reworked and reprocessed to the satisfaction of this department.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11878. Adulteration of butter. U. S. v. 20 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17656. I. S. No. 508-v. S. No. E-4454.)

On July 17, 1923, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 20 tubs of butter at Jersey City, N. J., alleging that the article had been shipped by the Equity Cooperative Creamery Assoc., Wadena, Minn., on or about July 2, 1923, and transported from the State of Minnesota into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act.