

the original unbroken packages at Beaumont, Tex., alleging that the article had been shipped by L. D. Clark & Son, in part from Eastport, Me., and in part from St. Andrews, N. B., on or about July 19 and November 12, 1924, respectively, and transported from the States of Maine and New Brunswick, respectively, into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Banquet Brand American Sardines In Cottonseed Oil Packed At Eastport, Washington Co., Me., By L. D. Clark & Son."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 7 and 10, 1925, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13339. Adulteration of butter. U. S. v. 2 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19862. I. S. No. 21100-v. S. No. W-1674.)

On February 13, 1925, the United States attorney for the District of Oregon, 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 2 cubes of butter, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Caldwell Creamery Co., from Caldwell, Idaho, on or about January 31, 1925, and transported from the State of Idaho into the State of Oregon, 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 milk fat had been mixed and packed with and substituted wholly or in part for the said article and for the further reason that a valuable constituent, namely, milk fat, had been in part abstracted.

At the March, 1925, term of court the Corvallis Creamery Co., Portland, Oreg., having entered an appearance 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 said claimant upon payment of the cost of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that it not be sold or disposed of until reworked to the satisfaction of this department and so as to conform to the United States standard for butter.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13340. Adulteration and misbranding of butter. U. S. v. 60 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. No. 20016. I. S. No. 13848-v. S. No. E-5279.)

On April 7, 1925, 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 60 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Farmer's Coop. Creamery Co., Delhi, Iowa, on or about March 27, 1925, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding 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, lower, or injuriously affect its quality or strength and had been substituted in whole or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On April 22, 1925, the Greeley Farmers Creamery, Greeley, Iowa, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation 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 \$1,500, in conformity with section 10 of the act, conditioned in part that it be reworked and reprocessed.

R. W. DUNLAP, *Acting Secretary of Agriculture.*