

**15252. Adulteration and misbranding of butter. U. S. v. 826 Pounds of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21919. I. S. Nos. 3547-x, 3548-x. S. No. C-5465.)**

On April 28, 1927, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 826 pounds of butter, remaining in the original unbroken packages at South St. Paul, Minn., alleging that the article had been shipped by the Foster Cooperative Creamery, Eau Claire, Wis., April 21, 1927, and transported from the State of Wisconsin into the State of Minnesota, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (carton) "Pasteurized Creamery Butter \* \* \* One Pound Net Weight."

It was alleged in the libel that the article was adulterated, in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength, and had been substituted wholly 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, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement "One Pound Net" was incorrect, the package containing a less amount of butter.

On May 4, 1927, Armour & Co., Chicago, Ill., having appeared as claimant for the property and having consented to its condemnation and forfeiture, judgment was entered ordering 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 \$1,000, conditioned in part that it be reworked and not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**15253. Adulteration of shell eggs. U. S. v. 15 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21970. I. S. No. 15586-x. S. No. C-5480.)**

On or about June 11, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 cases of eggs, remaining in the original packages at New Orleans, La., alleging that the article had been shipped by H. F. Wehmeyer, Brenham, Tex., on or about June 9, 1927, and transported from the State of Texas into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From H. F. Wehmeyer \* \* \* Brenham, Texas."

It was alleged in the libel that the article was adulterated in violation of section 7 of the act, paragraph 6, under food, in that part of the said eggs were rotten and decomposed.

On July 7, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15254. Adulteration of shell eggs. U. S. v. 10 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21969. I. S. No. 15579-x. S. No. C-5479.)**

On or about June 8, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases of eggs, remaining in the original packages at New Orleans, La., alleging that the article had been shipped by L. S. Black, Weir, Miss., on or about June 6, 1927, and transported from the State of Mississippi into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From L. S. Black \* \* \* Weir, Miss."

It was alleged in the libel that the article was adulterated in violation of section 7 of the act, paragraph 6, under food, in that part of said eggs were rotten and decomposed.