

15373. Adulteration and misbranding of butter. U. S. v. 344 Tubs, et al., of Butter. Consent decrees entered ordering product released under bond. (F. & D. Nos. 21918, 21939, 21956. I. S. Nos. 14303-x, 15934-x, 15936-x. S. Nos. C-5466, C-5468, C-5475.)

On or about April 27, May 2, and May 17, 1927, respectively, the United States attorney for the Eastern District of Michigan, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 1,035 tubs of butter, remaining unsold in the original tubs at Detroit, Mich., alleging that the article had been shipped by the Minnesota Creamery & Produce Co., from St. Paul, Minn., in various consignments, on or about April 16, April 23, and May 6, 1927, respectively, and transported from the State of Minnesota into the State of Michigan, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated, in that it was deficient in butterfat.

It was further alleged in the libels that the article was misbranded in violation of section 8 of the act.

On May 3, 17, and 21, 1927, respectively, the Minnesota Creamery & Produce Co., St. Paul, Minn., having appeared as claimant for the property and having consented to the condemnation and forfeiture of the product, judgments were entered ordering that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$2,950, conditioned in part that it be reworked under the supervision of this department.

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

15374. Adulteration of butter. U. S. v. 18 Tubs of Butter. Decree of condemnation and forfeiture. Product ordered released. (F. & D. No. 21955. I. S. No. 16447-x. S. No. E-6114.)

On or about May 26, 1927, the United States attorney for the District of Massachusetts, 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 18 tubs of butter, remaining in the original unbroken packages at Boston, Mass., consigned about May 14, 1927, alleging that the article had been shipped by Peter Fox & Sons Co., Chicago, Ill., and transported from the State of Illinois into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a substance containing less than 80 per cent by weight of milk fat had been substituted in whole or in part for butter, which the said article purported to be, the act of Congress of March 4, 1923, providing that butter shall contain not less than 80 per cent by weight of milk fat.

On June 9, 1927, the Chapin & Adams Co., Boston, Mass., having appeared as claimant for the property, and the product having been reconditioned under the supervision of this department, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings.

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

15375. Adulteration of oranges. U. S. v. 300 Boxes of Oranges. Default order entered ratifying sale of product. (F. & D. No. 21793. I. S. No. 15301-x. S. No. C-5424.)

On or about March 16, 1927, the United States attorney for the Southern District of Mississippi, 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 300 boxes of oranges, at Jackson, Miss., alleging that the article had been shipped by J. E. Montgomery, Inc., Palmetto, Fla., on or about March 8, 1927, and transported from the State of Florida into the State of Mississippi, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that a substance, an inedible product, had been substituted wholly or in part for the said article, and in that it consisted in whole or in part of a decomposed vegetable substance.