

16460. Adulteration of butter. U. S. v. 33 Cubes of Butter. Decree of condemnation entered. Product released on deposit of collateral security. (F. & D. No. 23808. I. S. No. 07881. S. No. 1912.)

On April 18, 1929, the United States attorney for the Western District of Washington, 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 33 cubes of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Corvallis Co., Portland, Oreg., and transported from the State of Oregon into the State of Washington, arriving at Seattle on or about April 11, 1929, 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 product containing less than 80 per cent of milk fat had been substituted for butter.

On April 25, 1929, Swift & Co., claimant, having admitted the allegations of the libel and having paid the costs of the proceedings, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant for reconditioning, reweighing, and relabeling under the supervision of this department, upon deposit of collateral in the sum of \$100 to insure that the product be disposed of in accordance with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16461. Adulteration of butter. U. S. v. 256 Cubes of Butter. Decree of condemnation entered. Product released upon deposit of collateral security. (F. & D. No. 23807. I. S. No. 07798. S. No. 1928.)

On or about April 23, 1929, the United States attorney for the Western District of Washington, 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 256 cubes of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Swift & Co., Billings, Mont., and transported from the State of Montana into the State of Washington, arriving at Seattle on or about April 17, 1929, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Swift & Company Produce Plant Billings, Mont."

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted for butter.

On April 25, 1929, Swift & Co., claimant, having admitted the allegations of the libel and having paid the costs of the proceedings, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant for reconditioning, reweighing, and relabeling under the supervision of this department, upon deposit of collateral in the sum of \$500 to insure its disposition in accordance with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16462. Adulteration and misbranding of butter U. S. v. 49 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23803. I. S. No. 03844. S. No. 1942.)

On April 30, 1929, 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 seizure and condemnation of 49 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Universal Carloading & Distributing Co., from Davenport, Iowa, on or before April 19, 1929, 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.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed with it so as to reduce or 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.

On May 10, 1929, the Gilt Edge Creamery Co., Plainfield, Iowa, claimant, having admitted the allegations of the libel 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 costs and the execution of a bond in the sum of \$1,750, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*