

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16626-16650

[Approved by the Secretary of Agriculture, Washington, D. C., March 6, 1930]

16626. Adulteration and misbranding of butter. U. S. v. 50 Tubs, et al., of Butter. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23929, 23936, 24021. I. S. Nos. 03516, 04062, 010660. S. Nos. 2096, 2114, 2153.)

On July 16, July 24, and July 31, 1929, respectively, the United States attorney for the Southern District of New York, 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 158 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Wilder Creamery Co. (Inc.), from Wilder, Minn., in various consignments, on or about July 10, July 16, and July 18, 1929, respectively, and transported from the State of Minnesota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libels 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 July 29, July 30, and August 6, 1929, respectively, the Wilder Creamery Co. (Inc.), Wilder, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of decrees, judgments of condemnation and forfeiture were 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 bonds totaling \$4,700, conditioned in part that it be reworked and reprocessed to comply with the law. The claimant further agreed that the reconditioned product should contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16627. Adulteration and misbranding of butter. U. S. v. 42 Tubs, et al., of Butter. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23932, 23937. I. S. Nos. 03517, 03704. S. Nos. 2071, 2097.)

On or about July 6 and July 16, 1929, respectively, the United States attorney for the Southern District of New York, 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 91 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the South Shore Creamery Co., in part from Summit, S. Dak., and in part from South Shore, S. Dak., on or about June 20, 1929, and July 10, 1929, respectively, and transported from the State of South Dakota 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