

into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, in that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, in that a valuable constituent of the article, butterfat, had been in part abstracted therefrom, and in that it contained less than 80 per cent of butterfat.

On August 5 and August 30, 1929, respectively, the Peter Fox & Sons Co. and Geo. Dasing, of Chicago, Ill., having appeared as claimants for respective portions of the property and having admitted the allegations of the libels and 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 claimants upon payment of costs and the execution of good and sufficient bonds, conditioned in part that it be reprocessed, under the supervision of this department, so that it contain not less than 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16711. Adulteration of butter. U. S. v. A Large Quantity of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24059. I. S. Nos. 08903, 08904, 08906, 08969, S. No. 2145.)

On July 24, 1929, the United States attorney for the Southern District of Ohio, 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 369 tubs of butter, remaining in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped by the Merchants Creamery Co., Springfield, Mo., in various consignments, on or about June 15, June 25, June 29, and July 3, 1929, respectively, and transported from the State of Missouri into the State of Ohio, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated in that a product deficient in milk fat had been substituted for butter, which the said article purported to be, and in that it contained less than 80 per cent of milk fat, the act of May (March) 4, 1923, prescribing that butter contain not less than 80 per cent by weight of milk fat.

On August 27, 1929, the Merchants Creamery Co., Springfield, Mo., 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 \$15,000, conditioned in part that it be salvaged under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16712. Adulteration and misbranding of catsup. U. S. v. 24½ Cases of Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23874. I. S. No. 07657. S. No. 2057.)

On July 3, 1929, 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 24½ cases of catsup, and on July 12, 1929, an amendment to the said libel praying seizure of 2 additional cases of the product. It was alleged in the libel as amended that the article had been shipped in interstate commerce by W. M. Harris & Sons, Wyoming, Del., on or about April 10, 1929, from the State of Delaware into the State of Louisiana, that it remained in the original unbroken shipment at New Orleans, La., and that it was adulterated and misbranded in violation of the food and drugs act. The article was labeled in part: "Harris Star Brand Hot Catsup Packed by W. M. Harris & Sons * * * Wyoming, Delaware."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, and for the further reason that it was colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the designation "Catsup" was false and misleading and deceived and misled the purchaser.