

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On October 8, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16739. Adulteration and misbranding of butter. U. S. v. 21 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24151. I. S. No. 022287. S. No. 2300.)**

On September 5, 1929, the United States attorney for the Eastern District of Pennsylvania, 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 21 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped by the N. W. Dairy Forwarding Co., Duluth, Minn., on or about August 31, 1929, and transported from the State of Minnesota into the State of Pennsylvania, 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 substituted wholly or in part for the said article and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On September 11, 1929, the Wm. M. Lippincott Co., Philadelphia, Pa., having appeared as claimant for the property, 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 \$800, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16740. Adulteration and misbranding of butter. U. S. v. 23 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24157. I. S. No. 021260. S. No. 2337.)**

On September 19, 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 23 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Ogema Creamery Co., Ogema, Minn., and transported from the State of Minnesota into the State of New York, arriving on or about September 16, 1929, 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 September 24, 1929, Herman G. Freiler, Ogema, Minn., 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 deposit of \$700, or the execution of bond in like amount, 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.*

**16741. Adulteration and misbranding of butter. U. S. v. 13 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24156. I. S. No. 016421. S. No. 2348.)**

On September 23, 1929, the United States attorney for the Eastern District of Pennsylvania, 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 13 tubs of butter, remaining in the original unbroken packages

at Philadelphia, Pa., consigned by the Meadowlands Creamery Co., Meadowlands, Minn., alleging that the article had been shipped from Meadowlands, Minn., on or about September 18, 1929, and transported from the State of Minnesota into the State of Pennsylvania, 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 substituted wholly or in part for the said article, and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On October 1, 1929, Wm. M. Lippincott & Co., Philadelphia, Pa., having appeared as claimant for the property, 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 \$520, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16742. Adulteration and misbranding of butter. U. S. v. 7 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24155. I. S. No. 016422. S. No. 2349.)**

On September 23, 1929, the United States attorney for the Eastern District of Pennsylvania, 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 7 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Farmers Cooperative Creamery Co., Staples, Minn., alleging that the article had been shipped from Staples, Minn., on or about September 18, 1929, and transported from the State of Minnesota into the State of Pennsylvania, 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 substituted wholly or in part for the said article, and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On September 27, 1929, C. M. Drake & Co., Philadelphia, Pa., having appeared as claimant for the property, 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 \$500, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16743. Misbranding of butter. U. S. v. Six 30-Pound Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24047. I. S. No. 021079. S. No. 2262.)**

On August 23, 1929, the United States attorney for the District of New Jersey, 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 six 30-pound cases of butter at Paterson, N. J., alleging that the article had been transported in interstate commerce from the premises of the C. & P. Butter Printing Co., New York, N. Y., to the premises of M. Klahr, Paterson, N. J., on or about August 19, 1929, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "One Pound Net Weight Valley Farm Print Butter M. Klahr & Co., Distributors, Paterson, New Jersey."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Net Weight One Pound," was false and misleading and deceived and misled the purchaser, and in 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 "Net Weight One Pound" was incorrect.

On September 9, 1929, M. Klahr, Paterson, N. J., claimant, having admitted the allegations of the libel and having consented to the entry of a decree condemning and forfeiting the product, judgment was entered ordering that the