

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]

16751-16775

[Approved by the Secretary of Agriculture, Washington, D. C., April 15, 1930]

16751. Adulteration and misbranding of butter. U. S. v. 11 Tubs, et al., of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24012. I. S. Nos. 022381, 022383. S. No. 2254.)

On August 26, 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., consigned by the Farmers Cooperative Creamery, Pelican Rapids, Minn., alleging that the article had been shipped from Pelican Rapids, Minn., on or about August 23, 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 therewith 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 6, 1929, the Wm. L. 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 \$300, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16752. Adulteration and misbranding of butter. U. S. v. 48 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24062. I. S. No. 021125. S. No. 2249.)

On August 27, 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 48 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Farmers Cooperative Creamery (& Produce) Co., from Grantsburg, Wis., through the Northwest Dairy Forwarding Co., Duluth, Minn., on or about August 17, 1929, and transported in interstate commerce 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 further reason that the article was offered for sale under the distinctive name of another article.