

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]

16801-16825

[Approved by the Secretary of Agriculture, Washington, D. C., June 13, 1930]

16801. Adulteration and misbranding of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24152. I. S. No. 021247. S. No. 2303.)

On September 10, 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 11 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Steele County Creamery & Produce Co., Finley, N. Dak., on or about August 22, 1929, and transported from the State of North 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 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 17, 1929, the Fox River Butter Co. (Inc.), New York, N. Y., 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 \$350, 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.*

16802. Misbranding of cottonseed meal. U. S. v. 371 Sacks of Cottonseed Meal. Product ordered released under bond. (F. & D. No. 23204. I. S. Nos. 02259, 02260. S. No. 1305.)

On November 19, 1928, the United States attorney for the Middle District of Alabama, 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 371 sacks of cottonseed meal, remaining in the original unbroken packages at Opelika, Ala., alleging that the article had been shipped by the Planters Oil Co., from Albany Ga., October 15, 1928, and transported from the State of Georgia into the State of Alabama, and charging misbranding in violation of the food and drugs act. A portion of the article was labeled in part: "One Hundred Pounds Standard Cotton Seed Meal Guaranteed Analysis Protein 36.00% Ammonia 7.00% * * * Manufactured by Planters Oil Co., Albany, Georgia." The remainder of the said article was labeled in part: