

It was alleged in the libel that the article was adulterated in that excessive moisture had been mixed and packed with and substituted in part for butterfat, in which the said article was deficient.

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

On February 11, 1930, the Land O'Lakes Creameries (Inc.), New York, N. Y., claimant, having admitted the allegations of the libel and having consented that judgment be entered condemning and forfeiting the product, a decree was entered ordering that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned in part that it be shipped to New York, to be reconditioned so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17036. Adulteration of butter. U. S. v. 170 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond.
(F. & D. No. 24555. I. S. No. 011559. S. No. 2494.)

On November 6, 1929, the United States attorney for the District of Massachusetts, 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 170 boxes of butter, remaining in the original unbroken packages at Springfield, Mass., consigned about October 25, 1929, alleging that the article had been shipped by the Farmers Equity Cooperative Creamery Association, Denver, Colo., and transported from the State of Colorado into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted for butter, which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter should contain not less than 80 per cent by weight of milk fat.

On January 22, 1930, the Farmers Equity Cooperative Creamery Association, Denver, Colo., having appeared as claimant for the property and having admitted the allegations of the libel, 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 \$8,000, conditioned in part that it be reworked under the supervision of this department so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17037. Adulteration of butter. U. S. v. 10 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond.
(F. & D. No. 24559. I. S. No. 018065. S. No. 2625.)

On December 7, 1929, the United States attorney for the District of Oregon, 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 10 cubes of butter, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Vancouver Creamery Co., from Vancouver, Wash., on or about November 27, 1929, and transported from the State of Washington into the State of Oregon, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it was deficient in butterfat, butter containing less than 80 per cent of milk fat having been substituted for normal butter of good commercial quality.

On December 10, 1929, the Vancouver Creamery Co. (Inc.), having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation 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 in a manner satisfactory to this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17038. Adulteration and misbranding of butter. U. S. v. 1 Barrel of Butter. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 24562. I. S. No. 025369. S. No. 2664.)

On or about December 17, 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 1 barrel of butter, remaining in the original unbroken package at New Orleans, La., alleging that the article had been shipped by W. H. Brittain, Roanoke, Ala., on or about December 11, 1929, and transported from the State of Alabama into the State of Louisiana, 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 product deficient in milk fat had been substituted for butter, which the said article purported to be, and in that a product containing less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of May (March) 4, 1923, which the article purported to be.

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

On January 13, 1930, 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.*

17039. Adulteration of rabbits. U. S. v. 1 Barrel of Rabbits. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24429. I. S. No. 025508. S. No. 2696.)

On January 10, 1930, the United States attorney for the Western 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 1 barrel of rabbits at Buffalo, N. Y., alleging that the article had been shipped by Jacob Ritz, Mason, Ill., on or about January 6, 1930, and transported from the State of Illinois into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On February 11, 1930, 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.*

17040. Adulteration of rabbits. U. S. v. 6 Baskets, et al., of Rabbits. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 24428. I. S. Nos. 025506, 025507. S. No. 2695.)

On January 10, 1930, the United States attorney for the Western 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 libels praying seizure and condemnation of 6 baskets and 2 crates of rabbits at Buffalo, N. Y., alleging that the article had been shipped by F. A. Pruett & Sons, in various lots, on or about January 3, 1930, and January 4, 1930, in part from Kinmundy, Ill., and in part from Farina, Ill., and transported from the State of Illinois into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On February 11, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17041. Adulteration and misbranding of olive oil. U. S. v. A. Giurlani & Bro. Plea of guilty. Fine, \$500. (F. & D. No. 23740. I. S. Nos. 17434-x, 17474-x.)

On October 26, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against A. Giurlani & Bro., a corporation, San Francisco, Calif., alleging shipment by said company in violation of the food and drugs act, in two consignments, on or about August 20, 1927, and October 20, 1927, respectively, from the State of California into the State of Oregon, of quantities of olive oil which was adulterated and misbranded.

It was alleged in the information that the article was adulterated in that 5 per cent by volume consisted of a substituted substance known as cottonseed oil.