

United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

17326-17350

[Approved by the Secretary of Agriculture, Washington, D. C., January 19, 1931]

17326. Adulteration of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24842. I. S. No. 011699. S. No. 2772.)

On or about January 21, 1930, 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 11 tubs of butter, remaining in the original unbroken packages at Boston, Mass., consigned on November 6, 1929, alleging that the article had been shipped by Armour Creameries, Louisville, Ky., and transported from the State of Kentucky 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 contain not less than 80 per cent by weight of milk fat.

On January 27, 1930, Armour & Co., Boston, Mass., 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 \$600, conditioned in part that it be reworked under the supervision of this department so as to comply with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17327. Adulteration of butter. U. S. v. 100 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24678. I. S. No. 037408. S. No. 2991.)

On March 7, 1930, the United States attorney for the District of Nebraska, 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 100 tubs of butter at Omaha, Nebr., alleging that the article had been shipped by Bassell Bros., from Temple, Tex., on or about August 3, 1929, and transported from the State of Texas into the State of Nebraska, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that water had been substituted for butterfat. Adulteration was alleged for the further reason that the article contained less than 80 per cent of milk fat.

On March 31, 1930, the Jerpe Cold Storage Co., Omaha, Nebr., claimant, having admitted the allegations of the libel and having consented that judgment