

condemnation of 68 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Prairie River Creamery Co., from Gleason, Wis., on July 8, 1929, and had been transported from the State of Wisconsin into the State of Illinois, 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 excessive water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality; and in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality, 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, and in that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 26, 1929, C. H. Weaver & Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product adulterated and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be reprocessed under the supervision of this department, so that it contain not less than 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17535. Adulteration of butter. U. S. v. 69 Tub of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24034. I. S. No. 011803. S. No. 2136.)**

Samples of butter from the herein described interstate shipment having been found to contain less than the legal requirement of milk fat, namely, less than 80 per cent of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On July 19, 1929, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 69 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., consigned on or about July 12, 1929, alleging that the article had been shipped by the York Cooperative Creamery Association, from Williamsburg, Iowa, and had been transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that excessive water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality; in that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the article; in that a valuable constituent of the article, butterfat, had been in part abstracted therefrom; and in that the article contained less than 80 per cent of butterfat.

On July 27, 1929, the H. C. Christians Co. Chicago, Ill., 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 \$1,000, conditioned in part that it be reprocessed under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17536. Adulteration of butter. U. S. v. 26 Tub of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24038. I. S. No. 09277. S. No. 2141.)**

Samples of butter from the herein described interstate shipment having been found to contain less than the legal requirement of milk fat, namely, less than 80 per cent of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On July 18, 1929, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 26 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Eau Galle Farmers Cooperative Creamery Co., from Woodville Wis., on July 9, 1929, and had been transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that excessive water had been mixed and packed therewith so as to reduce and lower and in-

juriously affect its quality; in that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article; in that a valuable constituent of the article, butterfat, had been in part abstracted; and that it contained less than 80 per cent of butterfat.

On July 26, 1929, Hunter, Walton & Co., Chicago, Ill., claimant, 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 \$1,000, conditioned in part that it be reprocessed, under the supervision of this department, so that it contain not less than 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17537. Adulteration and misbranding of butter. U. S. v. 40 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24969. I. S. No. 2922. S. No. 3298.)**

Samples of butter from the herein described interstate shipment having been found to contain less than the legal requirement of milk fat, namely, less than 80 per cent of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On July 25, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 40 tubs of butter, remaining in the original unbroken packages at Baltimore, Md., consigned about July 19, 1930, alleging that the article had been shipped by the Fred C. Mansfield Corporation, from Wautoma, Wis., and had been transported from the State of Wisconsin into the State of Maryland, 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. Misbranding was alleged for the further reason that the label bore the statement "Butter," which was false and misleading and deceived and misled the purchaser.

On July 28, 1930, H. L. Piel Co., Baltimore, Md., 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 \$1,400, conditioned in part that it should not be sold or disposed of until reconditioned and labeled to conform to the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17538. 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. 25045. I. S. No. 2383. S. No. 3332.)**

Samples of butter from the herein described interstate shipment having been found to contain less than the legal requirement of milk fat, namely, less than 80 per cent of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.

On July 30, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11 tubs of butter at Jersey City, N. J., alleging that the article had been shipped by the Universal Carloading & Distributing Co., from Mankato, Minn., on or about July 21, 1930, in interstate commerce into the State of New Jersey, having originated with the Model Dairy Co., Mankato, Minn., 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 therewith so as to reduce, 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 August 12, 1930, the Model Dairy Co. (Inc.), Mankato, 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