

the food and drugs act. The article was labeled in part: "Guaranteed Analysis Owl Brand 36% Prime Cotton Seed Meal \* \* \* Protein (Min.) 36.00% Fat (Min.) 5.00% Nitrogen (Min.) 5.76% \* \* \* Fibre (Max.) 14.00% \* \* \* Manufactured for F. W. Brod  Corporation, Memphis, Tenn."

It was alleged in the libel that the article was adulterated in that cotton-seed feed had been substituted for the said article.

Misbranding was alleged for the reason that the statements on the labeling, "36% Prime Cotton Seed Meal" and "Protein (Min.) 36.00% Fat (Min.) 5.00% Fibre (Max.) 14.00%," were false and misleading and deceived and mislead the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On August 6, 1930, the Home Oil Mill, Decatur, Ala., 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 execution of a bond in the sum of \$1,400, conditioned in part that it should not be sold or disposed of until relabeled to conform to the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17548. Adulteration of canned salmon. U. S. v. Buttnick Manufacturing Co. Plea of guilty. Fine, \$100.** (F. & D. No. 25025. I. S. Nos. 030372, 030373, 030374.)

Sample of canned salmon from the herein described interstate shipment having been found to contain decomposed fish, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.

On July 21, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid an information against the Buttnick Manufacturing Co., a corporation, Seattle, Wash., alleging shipment by said company, in violation of the food and drugs act, on or about November 13, 1929, from the State of Washington into the State of Florida, of quantities of canned salmon which was adulterated.

It was alleged in the information that the article was adulterated in that it consisted in part of a decomposed animal substance.

On August 6, 1930, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17549. Adulteration and misbranding of butter. U. S. v. 14 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 25058. I. S. No. 2381. S. No. 3285.)

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 Southern District of New York.

On July 18, 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 14 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Regal Farmers Cooperative Creamery Co., Regal, Minn., on or about July 3, 1930, and had been transported from the State of Minnesota 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 August 5, 1930, the Regal Cooperative Creamery Association, Regal, Minn., claimant, having admitted the allegations of the libel and consented to the entry of a decree, and having agreed to recondition the product so that it contain at least 80 per cent of butterfat, 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 \$500, conditioned in part that it be reworked and reprocessed so that it comply with the Federal food and drugs act and all laws relating thereto.

ARTHUR M. HYDE, *Secretary of Agriculture.*