

17550. Adulteration and misbranding of butter. U. S. v. 13 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25057. I. S. No. 2367. S. No. 3312.)

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 26, 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 13 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Grant Creamery Co., from Grant, Mich., on or about July 22, 1930, and had been transported from the State of Michigan 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 1, 1930, the Grant Creamery, Grant, Mich., 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 \$400, conditioned in part that it be reworked and reprocessed so that it comply with the requirements of the Federal food and drugs act and all laws relating thereto.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17551. Adulteration and misbranding of ground cardamon. U. S. v. 1 Drum of Ground Cardamon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24754. I. S. No. 020810. S. No. 3110.)

Samples of ground cardamon from the herein described interstate shipment having been found to be adulterated with ginger, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Michigan.

On May 10, 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 1 drum of ground cardamon at Detroit, Mich., alleging that the article had been shipped by I. Wertheimer & Son, from New York, N. Y., on or about April 2, 1930, and had been transported from the State of New York into the State of Michigan, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Pure Ground Cardamon."

It was alleged in the libel that the article was adulterated in that ginger had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the statement on the label, "Pure Ground Cardamon," was false and misleading and deceived and misled the purchaser when applied to an article containing ginger. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On June 12, 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.*

17552. Adulteration of canned frozen eggs. U. S. v. 366 Cans of Frozen Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24753. I. S. No. 028014. S. No. 3111.)

Samples of the canned frozen eggs from the herein described interstate shipment having been found to contain decomposed eggs, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On May 10, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and con-