

# 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]

17576-17600

[Approved by the Secretary of Agriculture, Washington, D. C., March 23, 1931]

**17576. Adulteration and misbranding of butter. U. S. v. 4 Tubs of Butter. Decree of condemnation entered. Product released under bond. (F. & D. No. 24955. I. S. No. 037670. S. No. 3253.)**

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 Eastern District of Louisiana.

On or about July 1, 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 4 tubs of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Armour Creameries (Inc.), Meridian, Miss., on or about June 12, 1930, and had been transported from the State of Mississippi into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Supreme Morris & Co. Creamery Butter."

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 for the further reason 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 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 July 15, 1930, Armour & Co. (Ltd.), New Orleans, La., having appeared as claimant for the property, 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 \$200, conditioned in part that it be reworked under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17577. Adulteration and misbranding of butter. U. S. v. 44 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24953. I. S. No. 037678. S. No. 3281.)**

Samples of butter from the herein described interstate shipment having been found to be deficient in milk fat and short weight, the Secretary of Agriculture reported the facts to the United States attorney for the Eastern District of Louisiana.

On or about July 3, 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 44 cases each containing 32 pounds of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Fort Worth Poultry & Egg Co., Fort Worth, Tex., on or about June 17, 1930, and had been transported from the State of Texas into the State of Louisiana, and charging adulteration and misbranding in violation of