

Misbranding was alleged for the reason that the article had been sold, shipped, and labeled as butter, which was false and misleading.

On July 15, 1930, 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 to be reprocessed under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17586. Adulteration and misbranding of butter. U. S. v. 28 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24958. I. S. No. 036666. S. No. 3249.)

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 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 28 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Farmers Union Creamery Co., from Norfolk, Nebr., June 24, 1930, and transported from the State of Nebraska 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 a substance deficient in butterfat had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality, and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article was deficient in butterfat in that it contained less than 80 per cent of butterfat.

Misbranding was alleged for the reason that the article had been sold, shipped, and labeled as butter, which was false and misleading.

On July 15, 1930, Gallagher Bros., 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, to be reprocessed under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17587. Adulteration and misbranding of butter. U. S. v. 10 Cases, et al., of Butter. Decrees of condemnation and forfeiture with provision for release under bond. By subsequent decree a portion ordered destroyed. (F. & D. Nos. 24896, 24900. I. S. Nos. 015275, 037968, 037969. S. Nos. 3153, 3214.)

Samples of print butter from the herein described interstate shipments having been found short weight, and samples of the tub butter having been found to contain less than 80 per cent of milk fat, the Secretary of Agriculture reported the facts to the United States attorney for the District of Maryland.

On or about May 22, 1930, and June 19, 1930, respectively, the said United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 34 cases and 1 tub of butter, consigned in part on or about May 12, 1930, and in part on or about June 11, 1930, alleging that the article had been shipped by the Paul A. Schulze Co., St. Louis, Mo., and had been transported from the State of Missouri into the State of Maryland, and charging misbranding with respect to the print butter, and adulteration and misbranding with respect to the tub butter, in violation of the food and drugs act as amended. The print butter was labeled in part: "Clover Springs Creamery Butter One Pound Net * * * Paul A. Schulze Company, St. Louis, Missouri." The tub butter was labeled in part: "Butter."

Adulteration of the tub butter was alleged in the libel for the reason 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.