

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 24, 1930, the Peter Fox Sons 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 reworked under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17590. Adulteration and misbranding of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25054. I. S. No. 2382. S. No. 3295.)

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 24, 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 10 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Millerville Creamery, from Brandon, Minn., arriving at New York on or about July 21, 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 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 had been offered for sale under the distinctive name of another article.

On July 30, 1930, the Fox River Butter Co. (Inc.), New York, N. Y., claimant, having admitted the allegations of the libel and consented to the entry of a decree, and having agreed to recondition the product so as to 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 \$300, conditioned in part that it be reworked and reprocessed, so that it comply with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17591. 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. 24964. I. S. No. 036596. S. No. 3256.)

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 2, 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 Chicago, Ill., alleging that the article had been shipped by F. McPeak, from Manawa, Wis., on June 24, 1930, and 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 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.