

17663. Adulteration and misbranding of cheese. U. S. v. 225 Boxes of Cheese. Consent decree of condemnation. Product released under bond. (F. & D. No. 23881. I. S. Nos. 010512, 010513. S. No. 2079.)

Samples of cheese from the herein described interstate shipment having been found to be deficient in fat, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of New York.

On July 17, 1929, 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 225 boxes of cheese, remaining in the original unbroken packages at Cuba, N. Y., alleging that the article had been shipped by J. L. Buiswite (Guiswite) from Lockhaven, Pa., in part on March 25, 1929, and in part on April 9, 1929, and had been transported from the State of Pennsylvania 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 it was deficient in fat and contained excessive moisture.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On August 5, 1929, the Great Atlantic & Pacific Tea Co., Cuba, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant to be used as an ingredient in the manufacture of process cheese, upon payment of costs and the execution of a bond in the sum of \$4,000, conditioned in part that it should not be sold or disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17664. Adulteration of canned shrimp. U. S. v. 22 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24905. I. S. No. 023796. S. No. 3236.)

Samples of canned shrimp from the herein described interstate shipment having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the District of Colorado.

On July 9, 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 22 cases of canned shrimp, remaining in the original unbroken packages at Denver, Colo., consigned by the J. F. Conrad Grocery Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about June 2, 1930, and had been transported from the State of Missouri into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Cases and cans) "Texas Star Brand Shrimp Packed By Lone Star Fish & Oyster Co. Corpus Christi, Texas;" (cases further labeled) "J. F. Conrad Grocery Co., * * * St. Louis, Mo."

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

On August 19, 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.*

17665. Adulteration and misbranding of butter. U. S. v. 21 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24992. I. S. No. 6688. S. 3334.)

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 August 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 14 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Farmers Creamery Co., Bangor, Wis., July 23, 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. Twenty-one tubs of the product were seized.

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