

On August 4, 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 12 tubs of butter at New York, N. Y., alleging that the article had been shipped by the Jeffers Cooperative Creamery, Jeffers, Minn., on or about August 1, 1930, and had been transported in interstate commerce 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 with it so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in large 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 11, 1930, S. & W. Waldbaum, 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 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, or the deposit of cash collateral in like amount, 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.*

**17675. Adulteration and misbranding of butter. U. S. v. 30 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25059. I. S. No. 2535. S. No. 3324.)**

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 31, 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 30 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Iowa Falls Creamery Co., Iowa Falls, Iowa, July 25, 1930, and had been transported from the State of Iowa 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 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 7, 1930, the Iowa Falls Creamery Co., Iowa Falls, Iowa, 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 \$900, 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.*

**17676. Misbranding of butter. U. S. v. 400 Cartons of Creamery Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25256. I. S. No. 2468. S. No. 3341.)**

Samples of butter from the herein described interstate shipment having been found to be short weight, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On August 14, 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 400 cartons of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by an agent of the J. A. Long Co., Portland, Ind., from Jersey City, N. J., on or about July 21, 1930, and had been transported from the State of New Jersey into the State of New York, and charging misbranding in violation of the food and drugs act