

**18603. Adulteration and misbranding of butter. U. S. v. 51 Boxes of Butter. Decree of condemnation. Product released under bond. (F. & D. No. 26758. I. S. No. 28774. S. No. 4768.)**

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard provided by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On May 23, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 51 boxes of butter, remaining in the original unbroken packages at Baltimore, Md., consigned about May 14, 1931, alleging that the article had been shipped by the Hanford Produce Co., from Sioux City, Iowa, and had been transported from the State of Iowa into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Cloverbloom Pasteurized Creamery Butter Distributed By Armour Creameries, \* \* \* Chicago."

It was alleged in the libel that the article was adulterated in 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 or strength.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article. Misbranding was alleged for the further reason that the package or label bore the statement "Butter," which was false and misleading and deceived and misled the purchaser.

On June 2, 1931, Armour & Co., Baltimore, Md., 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 \$800, conditioned in part that none of the said product be sold or disposed of until reworked and inspected and approved by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18604. Misbranding of corn oil cake meal. U. S. v. 210 Bags of Corn Oil Cake Meal. Consent decree of condemnation. Product released to be labeled. (F. & D. No. 26754. I. S. No. 23802. S. No. 4715.)**

Examination of the so-called corn oil cake meal from the shipment herein described having shown that the packages failed to bear a statement of the quantity of the contents, the matter was reported to the United States attorney for the District of Kansas by authority of the Secretary of Agriculture.

On or about April 30, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 210 bags of corn oil cake meal, remaining in the original unbroken packages at Topeka, Kans., alleging that the article had been shipped by the Corn Products Refining Co., New York, N. Y., from Kansas City, Mo., on or about February 19, 1931, and had been transported from the State of Missouri into the State of Kansas, and charging misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was misbranded in that the bags bore no mark, brand, or label showing the net weight of the contents.

On May 18, 1931, the Forbes Bros., Central Mills Co., Topeka, Kans., claimant, having agreed to label the product to show the net weight as required by law, and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered by the court that the said product be released to be properly labeled, and that claimant pay costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18605. Adulteration of salt mackerel. U. S. v. 425 Kegs of Salt Mackerel. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26237. I. S. No. 27627. S. No. 4562.)**

Samples of salt mackerel from the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Georgia.

On or about April 21, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 425 kegs of salt mackerel, remaining in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped by the Davis Bros. Fisheries Co., from Gloucester, Mass., on or about November 13, 1930, and had been transported from the State of Massachusetts into the State of Georgia, and charging adulteration in violation of the food and drugs act.

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

On June 26, 1931, 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.*

**18606. Adulteration of butter. U. S. v. 5 Cubes of Butter. Product released under bond to be reconditioned. (F. & D. No. 26753. I. S. No. 11810. S. No. 4765.)**

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard provided by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.

On May 20, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of five cubes of butter, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Beaver Valley Creamery Co., Milford, Utah, on or about May 15, 1931, and had been transported from the State of Utah into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted wholly or in part for butter.

On May 21, 1931, Joseph Thorup, Los Angeles, Calif., having appeared as claimant for the property and having admitted the allegations of the libel, judgment was entered ordering that the product be released to the said claimant upon payment of costs and the deposit of a cash bond in the sum of \$100, conditioned in part that it should not be disposed of in violation of the Federal food and drugs act, and that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18607. Adulteration of pears. U. S. v. 200 Boxes of Pears. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26275. I. S. No. 13160. S. No. 4610.)**

Arsenic and lead having been found on the pears in the shipment herein described, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.

On April 22, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 200 boxes of pears, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the C. M. Holtzinger Fruit Co., from Yakima, Wash., on or about February 18, 1931, and had been transported from the State of Washington into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it contained added poisonous ingredients, namely, lead and arsenic, which might have rendered it harmful to health.

On June 3, 1931, 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.*

**18608. Adulteration of dressed poultry. U. S. v. 3 Barrels of Dressed Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26335. I. S. Nos. 30280, 30281. S. No. 4658.)**

Samples of dressed poultry from the shipment herein described having been found to be decomposed and diseased, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On May 9, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 3 barrels of dressed poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Land O'Lakes Creameries (Inc.), in part from Duluth, Minn., on or about April 21, 1931, and in part from Minneapolis, Minn., on or about April 22, 1931, and had been transported from the State of Minnesota into the State of New York, and charging adulteration in violation of the food and drugs act.