

Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On July 3, 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 24 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Northwest Dairy Forwarding Co., Duluth, Minn. (acting for Winter Cooperative Creamery, Winter, Wis.), on June 13, 1931, into the State of New York, 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 by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent of milk fat as provided by law.

Thomas G. Corcoran, agent for Hunter, Walton & Co., New York, N. Y., interposed a claim for the product and admitted the allegations of the libel, consenting to the entry of a decree, and agreed that the product be reconditioned so that it contain at least 80 per cent of butterfat. On July 7, 1931, 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 \$600, conditioned in part that it be reworked and reprocessed so that it comply with the law, and that it should not be disposed of until examined and approved by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18758. Adulteration of canned salmon. U. S. v. 1,970 Cases of Salmon. Decree of condemnation entered. Product released under bond. (F. & D. No. 25235. I. S. Nos. 9085, 9086, 9087, 9088, 1083. S. No. 3533.)

Samples of canned salmon 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 Eastern District of Virginia.

On October 28, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 1,970 cases of canned salmon, remaining in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped by McGovern & McGovern, from Seattle, Wash., on or about August 27, 1930, and had been transported from the State of Washington into the State of Virginia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Cans) "Sea Flyer Brand * * * Salmon [or "Sea Lad Brand Pink Salmon"] * * * McGovern & McGovern, Seattle, U. S. A."

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

On July 31, 1931, McGovern & McGovern, Seattle, Wash., having appeared as claimants for the property and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered by the court that the product be delivered to the said claimant upon payment of costs and the execution of a bond in the sum of \$3,000, conditioned in part that it should not be sold or otherwise disposed of contrary to the Federal food and drugs act and other existing laws. It was further ordered that the product be sorted under the supervision of this department, and that any portion found to be wholesome and suitable for human consumption be released.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18759. Adulteration of butter. U. S. v. 10 Tubs of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26765. I. S. No. 30510. S. No. 4711.)

Samples of butter from the shipment on or about May 5, 1931, 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 Massachusetts.

On May 8, 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 10 tubs of butter, remaining in the original unbroken packages at Lowell, Mass., alleging that the article had been shipped by the Trout Brook Creamery Co., from Concord, Vt., and had been transported from the State of Vermont into the State of Massachusetts, 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 by weight of milk fat had been substituted for