

The Zenith-Godley Co. (Inc.), New York, N. Y., agent for the North Kingston Dairy Association, Kimball, Minn., interposed a claim for the product, admitted the allegations of the libel, and consented 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 October 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 \$200, conditioned in part that it be reworked so that it comply with the Federal food and drugs act and all laws, Federal and State.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18903. Adulteration of butter. U. S. v. 23 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27128. I. S. No. 39757. S. No. 5298.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent by weight 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 New York.

On October 2, 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 23 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Sheldon Creamery, Sheldon, Wis., September 17, 1931, and had been transported from the State of Wisconsin into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Tub) "Hunter Walton & Co. New York."

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 the act of March 4, 1923; and in that the article was deficient in butterfat.

Hunter, Walton & Co., New York, N. Y., interposed a claim for the product as agent for the Sheldon Cooperative Creamery, Sheldon, Wis., and admitted the allegations of the libel, consented to the entry of a decree, and agreed that the product be reconditioned so that it contain at least 80 per cent by weight of butterfat. On October 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 \$500, conditioned in part that it be reworked so that it comply with the requirements of the Federal food and drugs act and all laws, State and Federal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18904. Misbranding of corn meal. U. S. v. 528 Sacks of Meal, et al. Default decrees of destruction entered. (F. & D. Nos. 26446, 26447. I. S. Nos. 24318, 24320, 24321, 24322. S. Nos. 4730, 4732.)

Samples of corn meal from the shipments herein described having been found short of the declared weight, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Mississippi.

On May 29, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 1,728 sacks 24 pounds each, 40 sacks 98 pounds each, and 100 sacks 10 pounds each of meal, remaining in the original unbroken packages in part at Vicksburg, Miss., and in part at Natchez, Miss., alleging that the article had been shipped by the Shreveport Grain & Elevator Co., Shreveport, La., in part on or about May 5, 1931, and in part on or about May 9, 1931, and had been transported from the State of Louisiana into the State of Mississippi, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part, variously: (Sacks) "Marshall Mill & Elevator Co. Acorn Meal Marshall Texas Manufactured by Shreveport Grain and Elev. Co. 24 Lbs. Net When Packed;" "Manufactured for Marshall Mill & Elevator Co. Acorn Meal Marshall Texas 98 Lbs. Net When Packed;" "Red Head Meal 24 lbs. Net When Packed;" "Red Head Meal 10 lbs. Net."

It was alleged in the libels that the article was misbranded in that the statements of net weight appearing on the sacks were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and failed to bear a plain and