

to the claimant upon payment of costs and the execution of a bond in the sum of \$350, conditioned that it should not be sold or disposed of contrary to the provisions of the Federal food and drugs act and all other laws, and further conditioned that it be reworked under the supervision of this department.

HENRY A. WALLACE, *Secretary of Agriculture.*

19686. Adulteration of frozen tullibeas. U. S. v. 250 Boxes of Frozen Tullibeas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27786. I. S. No. 29070. S. No. 5882.)

Frozen tullibeas taken from the import shipment involved in this action were found, upon examination, to be infested with the cysts of parasitic worms.

On February 26, 1932, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 250 boxes of frozen tullibeas at New York, N. Y., alleging that the article had been shipped by the Rousseau Lumber Co., from Winnipeg, Manitoba, Canada, on or about February 17, 1932, to New York, N. Y., 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 filthy, decomposed, and putrid animal substance, and in that it consisted of portions of animals unfit for food.

On March 14, 1932, 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.

HENRY A. WALLACE, *Secretary of Agriculture.*

19687. Adulteration of butter. U. S. v. 7 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27891. I. S. No. 5381. S. No. 5870.)

Samples of butter taken from the interstate shipment involved in this action having been found to contain less than 80 per cent by weight of milk fat, the standard prescribed by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On February 16, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of seven tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about February 2, 1932, by the Danube Creamery Co., from Danube, Minn., to New York, N. Y., 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 the act of March 4, 1923.

The Great Atlantic & Pacific Tea Co., New York, N. Y., interposed a claim for the property as agent for the Danube Creamery, Danube, Minn., 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 of butterfat. On March 5, 1932, 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 other laws.

HENRY A. WALLACE, *Secretary of Agriculture.*

19688. Adulteration of butter. Consent decree of condemnation and forfeiture. Product released under bond. U. S. v. 10 Tubs of Butter. (F. & D. No. 27885. I. S. No. 5383. S. No. 5873.)

Samples of butter taken from the interstate shipment involved in this action having been found to contain less than 80 per cent by weight of milk fat, the standard prescribed by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On February 19, 1932, 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 at New York, N. Y., alleging that the article had been shipped by the Green Isle Creamery, Green Isle, Minn., through the Arlington Creamery Association, Arlington, Minn., on or about February 10,