

19767. Adulteration and misbranding of butter. U. S. v. 100 Cases, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. Nos. 28320, 28321. I. S. Nos. 55759, 55762, 55763, 55764. S. Nos. 6157, 6158.)

These actions involved the interstate shipment of quantities of butter, samples of which were found to contain less than 80 per cent by weight of milk fat, the standard for butter prescribed by Congress.

On or about April 6 and April 15, 1932, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 349 cases of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce in part on March 12, 1932, and in part on March 26, 1932, by Armour Creameries, from Mitchell, S. Dak., to Chicago, Ill., and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Carton) "Armour's Cloverbloom * * * Full Cream Butter;" (shipping package) "Armour Creameries."

It was alleged in the libels that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article was deficient in butterfat, in that it contained less than 80 per cent of butterfat.

Misbranding was alleged for the reason that the article had been sold, shipped, and labeled as butter, which was false and misleading, since it contained less than 80 per cent of milk fat.

On April 15, 1932, Armour & Co. of Delaware, claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant, to be reworked under the supervision of this department, upon payment of costs and the execution of bonds totaling \$4,000, conditioned in part that it should not be sold or disposed of contrary to the provisions of the Federal food and drugs act and all other laws.

HENRY A. WALLACE, *Secretary of Agriculture.*

19768. Adulteration of dressed bluefins. U. S. v. 2 Boxes of Fish (Bluefins), et al. Product adjudged unfit for human consumption and ordered destroyed. (F. & D. Nos. 27980, 27983, 27985. I. S. Nos. 53423, 53428, 53431. S. Nos. 6022, 6027, 6031.)

Samples of bluefins taken from the shipments involved in these actions were found to be infested with parasitic worms.

On April 2 and April 5, 1932, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 2 boxes and 3 boxes, respectively, of the said bluefins at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce, the former lot on or about March 28, 1932, and the latter on or about March 30, 1932, by the Hogstad Fish Co., from Duluth, Minn., to Cincinnati, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid animal substance, and for the further reason that it consisted of portions of animals unfit for food.

On April 2 and April 5, 1932, the dates on which the respective lots were seized, decrees were entered by the court finding that the product was unfit for human consumption, and ordering its immediate destruction by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

19769. Adulteration of butter. U. S. v. 7 Cubes, et al., of Butter. Product released under bond to be reworked. (F. & D. Nos. 27932, 27973. I. S. Nos. 46532, 46556. S. Nos. 5936, 6011.)

These actions involved the interstate shipment of quantities of butter, samples of which were found to contain less than 80 per cent by weight of milk fat, the standard prescribed by Congress.

On February 18 and March 8, 1932, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels