

decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant for reworking under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to the Federal food and drugs act and all other laws.

HENRY A. WALLACE, *Secretary of Agriculture.*

19910. Adulteration and misbranding of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (No. 3265-A. F. & D. No. 28476.)

This action involved the shipment of a quantity 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 June 25, 1932, the United States attorney for the Northern District of Illinois, 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 12 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on June 17, 1932, by Schumacher & Son, from Jefferson, Wis., to Chicago, Ill., and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel 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 had been substituted in part for the said article. Adulteration was alleged for the further reason that the article 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 June 30, 1932, the Peter Fox Sons Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant for reworking under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to the Federal food and drugs act and all other laws.

HENRY A. WALLACE, *Secretary of Agriculture.*

19911. Adulteration of butter. U. S. v. 62 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (No. 1605-A. F. & D. No. 28350.)

This action involved the shipment of a quantity 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 May 6, 1932, the United States attorney for the Western District of Washington, 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 62 cubes of butter, remaining in the original unbroken packages at Tacoma, Wash., alleging that the article had been shipped in interstate commerce on or about May 3, 1932, by the American Produce Co., from Portland, Oreg., to Tacoma, Wash., 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.

On June 4, 1932, the American Produce Co., Portland, Oreg., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered. The court having found that the product might be reconditioned by extracting the excess moisture and thereby increasing the percentage of butterfat so that it would comply with the law, ordered that it be released to the claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned that it should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act and all other laws.

HENRY A. WALLACE, *Secretary of Agriculture.*