

20492. Adulteration and misbranding of butter. U. S. v. 5 Cases and 2 Cases of Butter. Consent decree of condemnation, forfeiture, and destruction. (F. & D. no. 28690. Sample nos. 1568-A, 1569-A.)

This action involved the interstate shipment of a quantity of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard prescribed by Congress. The article also was found to be rancid.

On July 29, 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 seven cases of butter, remaining in the original unbroken packages at Longview, Wash., alleging that the article had been shipped in interstate commerce on or about July 25, 1932, by Frye & Co. from Portland, Oreg., to Longview, Wash., 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 it consisted in whole or in part of a filthy, decomposed, or putrid animal substance. Adulteration was alleged for the further reason that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat.

Misbranding of the article was alleged for the reason that it was labeled butter, which was false and misleading since it contained less than 80 percent of butterfat.

On December 24, 1932, Frye & Co., Portland, Oreg., claimant, having consented to the destruction of the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and that costs of the proceedings be assessed against claimant.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20493. Adulteration of canned salmon. U. S. v. 250 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 29092. Sample no. 15065-A.)

This action involved the interstate shipment of a quantity of canned salmon, samples of which were found to be in part decomposed.

On October 21, 1932, the United States attorney for the Eastern 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 250 cases of canned salmon, remaining in the original packages at Walla Walla, Wash., alleging that the article had been shipped on or about August 31, 1932, by the Superior Packing Co., from Tenakee, Alaska, to Seattle, Wash., that it had been reshipped from Seattle to Walla Walla, Wash., and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Blue and White Brand Pink Salmon."

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

On December 20, 1932, the Superior Packing Co., Tenakee, Alaska, having appeared as claimant 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 to be reconditioned so as to comply with the provisions of the Food and Drugs Act, upon payment of costs and the execution of a bond in the sum of \$500.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20494. Adulteration of cheese. U. S. v. 7 Cheeses, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29076. Sample nos. 4391-A, 4392-A.)

This action involved the interstate shipment of a quantity of cheese, examination of which showed the product to be deficient in fat.

On October 21, 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 10 cheeses at Chicago, Ill., alleging that the article had been shipped in part on or about May 3, 1932, and in part on or about August 13, 1932, by Armour Creameries Co., from Monroe, Wis., to Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act.