

merce on or about May 5, 1932, 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 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight 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 decree provided, however, that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$250, conditioned that it be made to conform with the law, the court having found that it might be reconditioned by extracting the excess moisture to bring the percentage of butterfat up to the legal standard.

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

20713. Adulteration and misbranding of butter. U. S. v. 20 Cases of Butter. Product ordered released under bond to be reworked. (F. & D. no. 29007. Sample nos. 17232-A, 17233-A.)

This action involved an interstate shipment of butter, samples of which were found to contain less than 80 percent of milk fat, the standard for butter prescribed by Congress.

On September 13, 1932, the United States attorney for the Southern District of California, 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 20 cases of butter, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about September 9, 1932, by the Brooklawn Creamery Co., from Salt Lake City, Utah, to Los Angeles, Calif., and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Brooklawn Pasteurized Butter Guaranteed by Brooklawn Creamery Co. Salt Lake City, Utah." The remainder was labeled in part: "Meadow Valley Butter * * * Packed Especially for Ben Valle Co., Los Angeles, Calif."

It was alleged in the libel that the article was adulterated in that a product containing less than 80 percent of milk fat had been substituted wholly or in part for butter.

Misbranding was alleged for the reason that the article was labeled in part, "Butter", which was false and misleading, since it contained less than 80 percent of milk fat.

On October 4, 1932, the court ordered that the product be released to the claimant, the Brooklawn Creamery Co., Salt Lake City, Utah, under bond in the sum of \$250, conditioned that it be brought into compliance with the law. On October 11, 1932, the butter having been reworked, a final decree was entered ordering that the release be made permanent and the bond exonerated.

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

20714. Adulteration of figs. U. S. v. 50 Boxes of Figs. Default decree of destruction. (F. & D. no. 27641. I.S. no. 31965. S. no. 5681.)

This action involved a quantity of figs that were found to be insect-infested, moldy, dirty, and sour.

On January 5, 1932, the United States attorney for the District of Utah, 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 50 boxes of figs, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce on or about December 9, 1931, by A. Ghiandi, from Oroville, Calif., to Salt Lake City, Utah, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Shasta Brand Fancy White Adriatic Figs Grown and Packed By A. Ghiandi Thermalito, California."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On April 8, 1932, no claimant having appeared for the property, judgment was entered finding the product adulterated, and ordering that it be destroyed by the United States marshal.

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