

alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On August 4, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21288. Adulteration of butter. U. S. v. 18 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 30630. Sample no. 32443-A.)

This case involved a shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On May 12, 1933, 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 a libel praying seizure and condemnation of 18 tubs of butter at New York, N.Y., alleging that the article had been shipped in interstate commerce on or about April 29, 1933, by the Harrow-Taylor Co., from Kansas City, Mo., 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 of milk fat as prescribed by the act of March 4, 1923.

On May 24, 1933, Alex. Grossman & Co., agent for the Harrow-Taylor Butter Co., 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 claimant upon payment of costs and the execution of a bond in the sum of \$400, conditioned in part that it be reworked so that it contain at least 80 percent of butterfat.

M. L. WILSON, *Acting Secretary of Agriculture.*

21289. Adulteration of evaporated apple chops. U. S. v. 332 Sacks of Evaporated Apple Chops. Consent decree of condemnation and destruction. (F. & D. No. 30504. Sample no. 39991-A.)

This case involved an interstate shipment of a quantity of evaporated apple chops, samples of which were found to contain arsenic and lead in amounts that might have rendered them injurious to health.

On May 23, 1933, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 332 sacks of evaporated apple chops at Pittsburgh, Pa., alleging that the article had been shipped on or about March 4, 1933, by the Battletown Fruit Co., from Staunton, Va., 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 contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On August 10, 1933, the intervener having withdrawn its claim and consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21290. Adulteration of butter. U. S. v. 51 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 30649. Sample no. 37247-A.)

This case involved a shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On May 29, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 51 cubes of butter at Seattle, Wash., consigned by the Hill County Creamery Co., alleging that the article had been shipped in interstate commerce on or about May 19, 1933, from Havre, Mont., and charging adulteration in violation of the Food and Drugs Act.