

22048. Adulteration of butter. U. S. v. 8 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 32380. Sample no. 66073-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 February 9, 1934, 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 eight tubs of butter at New York, N.Y., alleging that the article had been shipped in interstate commerce from Paducah, Ky., on or about January 30, 1934, by the McKenzie Milk Products Co., of McKenzie, Tenn., 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 provided by the act of March 4, 1923.

On February 14, 1934, the McKenzie Milk Products Co. having appeared through an agent as claimant for the property and having admitted the allegations of the libel and 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 \$200, conditioned that it be reworked so that it contain at least 80 percent of milk fat.

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

22049. Adulteration of butter. U. S. v. 194 Tubs of Butter. Product released under bond to be reworked. (F. & D. no. 32382. Sample nos. 68604-A, 68635-A.)

This case involved shipments 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 February 15, 1934, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 194 tubs of butter at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about May 31 and June 1, 1933, by the Davis-Cleaver Produce Co., from Quincy, Ill., 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 provided by the act of March 4, 1923.

On February 26, 1934, the Davis-Cleaver Produce Co. having appeared as claimant and having admitted the allegations of the libel, judgment was entered ordering that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$6,000, conditioned that the product be reworked so that it comply with the law.

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

22050. Adulteration of canned shrimp. U. S. v. 25 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31600. Sample nos. 37390-A, 49064-A.)

This case involved an interstate shipment of canned shrimp that was found to be in part decomposed.

On November 15, 1933, the United States attorney for the District of Idaho, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 cases of canned shrimp at Moscow, Idaho, alleging that the article had been shipped in interstate commerce on or about September 1, 1933, by the Gulf Coast Products Co., Inc., from New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Gulf Coast Brand Shrimp * * * Packed by Gulf Coast Products Co., Inc., Point A. Lahache, La.

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