

contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On January 6, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25887. Adulteration of butter. U. S. v. 346 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond for reworking. (F. & D. no. 36549. Sample no. 30575-B.)

This product was sold as butter but was deficient in milk fat.

On September 21, 1935, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 346 tubs of butter at Jersey City, N. J., alleging that the article had been shipped in interstate commerce on or about August 28, 1935, by E. W. Newton, from Wheeling, W. Va., and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was charged under the allegation that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On October 9, 1935, E. W. Newton, Wheeling, W. Va., having appeared as claimant, consent decree of condemnation and forfeiture was entered providing for release of the product to the claimant under bond conditioned that it be reworked so that it contain at least 80 percent of milk fat.

W. R. GREGG, *Acting Secretary of Agriculture.*

25888. Adulteration of butter. U. S. v. 1 Tub of Butter, and another libel proceeding against butter. Default decree of condemnation, forfeiture, and destruction in each case. (F. & D. nos. 36551, 36552. Sample nos. 39877-B, 39883-B.)

Samples of butter taken from these shipments were found to contain maggots, mold, portions of insects, human hair, rodent hair, and nondescript dirt.

On October 11 and October 16, 1935, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the district court on each of said dates, a libel praying seizure and condemnation of a quantity of butter at Baltimore, Md., consigned by J. N. Bernard, Rogersville, Tenn. It was alleged in the libels that the article had been shipped in interstate commerce, in part on or about October 6, 1935, and in part on or about October 14, 1935, from Rogersville, Tenn., to Baltimore, Md., and was adulterated in violation of the Food and Drugs Act.

Adulteration of the article, in each case, was charged under the allegation that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On November 19 and November 21, 1935, no claimant having appeared in either case, default decrees of condemnation, forfeiture, and destruction were entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25889. Adulteration of butter. U. S. v. 12 Cases and 4 Boxes of Butter. Default decree of condemnation, forfeiture, and destruction in each case. (F. & D. nos. 36556, 36557. Sample nos. 41586-B, 43462-B.)

Samples of the butter involved in these cases were found to contain mold, insect legs, filth, and nondescript dirt.

On October 3, 1935, and October 18, 1935, the United States attorneys for the Eastern District of Louisiana and the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 12 cases of butter at New Orleans, La., and 4 boxes of butter at Lynn, Mass. It was alleged in the libel filed in the Eastern District of Louisiana that the article had been shipped in interstate commerce on or about September 24, 1935, by Armour Creameries, from Fort Worth, Tex., to New Orleans, La., and in the libel filed in the District of Massachusetts that the article had been shipped in such commerce (about October 8, 1935) by Armour Creameries, from Marysville, Kans., to Lynn, Mass. It was charged in each libel that the product was adulterated in violation of the Food and Drugs Act. The lot libeled at New Orleans, La., was labeled in part: (Case) "Springbrook Country Rolls." The lot libeled at Lynn, Mass., was labeled in part: "Goldendale Creamery Butter Distributed by Armour Creameries."