

in the district court a libel praying seizure and condemnation of forty 30-pound cases of butter at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about February 10, 1936, by Jefferson Creameries [Jefferson Creamery, Inc.], from Americus, Ga., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Land O'Sunshine Creamery Butter * * * Jefferson Creamery, Americus, Georgia."

The article was alleged to be 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.

The article was alleged to be misbranded in that it was labeled "Butter", which was false and misleading, since it contained less than 80 percent of milk fat.

On February 15, 1936, the Jefferson Creamery, Inc., having appeared as claimant for the product, judgment was entered ordering that the product be released under bond conditioned that it be brought up to the legal standard.

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

26083. Adulteration of butter. U. S. v. 131 Tubs of Butter. Consent decree of condemnation. Product released under bond for reworking. (F. & D. no. 37680. Sample no. 55659-B.)

This case involved an interstate shipment of butter that contained less than 80 percent by weight of milk fat.

On February 7, 1936, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 131 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about February 1, 1936, by the Gerlach Grain & Produce Co., from Cordell, Okla., and that it was adulterated in violation of the Food and Drugs Act as amended March 4, 1923.

The article was alleged to be 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.

On February 10, 1936, the Peter Fox Sons Co., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be reworked to comply with the Food and Drugs Act as amended.

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

26084. Adulteration of butter. U. S. v. 49 Pounds of Butter. Default decree of condemnation and destruction. (F. & D. no. 37631. Sample no. 56239-B.)

This case involved an interstate shipment of butter that was moldy.

On March 16, 1936, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 49 pounds of butter at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about March 6, 1936, by B. S. McCauley, from Cynthiana, Ky., and that it was adulterated in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance.

On April 22, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26085. Adulteration and misbranding of butter. U. S. v. One Barrel of Butter. Default decree of condemnation and destruction. (F. & D. no. 37682. Sample no. 56240-B.)

This case involved an interstate shipment of butter that contained less than 80 percent by weight of milk fat.

On March 11, 1936, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of one barrel of butter at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about March 7, 1936, by the Blaine Mercantile Co., from Louisa, Ky., and that it was adulterated and misbranded in violation of the Food and Drugs Act as amended.