

26411. Adulteration of cream. U. S. v. One 5-Gallon Can and Two 10-Gallon Cans of Cream. Order for immediate destruction. (F. & D. no. 38118. Sample no. 7240-C.)

This case involved an interstate shipment of cream that was filthy and decomposed.

On July 24, 1936, 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 one 5-gallon can and two 10-gallon cans of cream at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about July 23, 1936, in part by Ina Nester from Parsons, W. Va., and in part by the Weston Cream Station from Weston, W. Va., and charging adulteration 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 substance.

On July 24, 1936, the article being spoiled and unfit for human consumption, at the request and with the consent of the Blue Valley Creamery Co., consignee, it was ordered immediately destroyed.

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

26412. Adulteration of cream. U. S. v. One 5-Gallon Can and Ten 10-Gallon Cans of Cream. Order for immediate destruction. (F. & D. no. 38119. Sample no. 7241-C.)

This case involved an interstate shipment of cream that was filthy and decomposed.

On July 25, 1936, 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 one 5-gallon can and ten 10-gallon cans of cream at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about July 24, 1936, in various lots by Walter Johnson from Strasburg, Va.; M. K. Bowers from Charles Town, W. Va.; B. M. Grimm from Romney, W. Va.; Burgett Swisher from Lost Creek, W. Va.; B. M. Furr from Marshall, Va.; Freeland & Fletcher from Middlebourne, W. Va.; and J. H. Broadwater from Salem, W. Va., and charging adulteration 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 substance.

On July 25, 1936, the article being spoiled and unfit for human consumption, at the request and with the consent of the Fairmont Creamery Co., consignee, it was ordered immediately destroyed.

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

26413. Adulteration of cream. U. S. v. One 5-Gallon Can and Five 10-Gallon Cans of Cream. Order for immediate destruction. (F. & D. no. 38120. Sample no. 7242-C.)

This case involved an interstate shipment of cream that was filthy and decomposed.

On July 28, 1936, 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 one 5-gallon can and five 10-gallon cans of cream at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about July 25, 1936, in various shipments by I. E. Mendenhall from Newport, Ohio; J. T. Fisher & Sons from Poolesville, Md.; M. J. Gartner from Gaithersburg, Md.; and Ira Bolyard from Kasson, W. Va., and charging adulteration 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 substance.

On July 28, 1936, the article being spoiled and unfit for human consumption, at the request and with the consent of the Fairmont Creamery Co., consignee, it was ordered immediately destroyed.

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

26414. Adulteration and misbranding of butter. U. S. v. 57 Boxes of Butter. Decree of condemnation. Product released under bond to be reworked. (F. & D. no. 38121. Sample no. 7046-C.)

This case involved butter that was deficient in milk fat.

On July 23, 1936, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 57 boxes of butter at Wor-

cester, Mass., consigned July 10, 1936, alleging that the article had been shipped in interstate commerce by the Beatrice Creamery Co., from Champaign, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "White Rose Farm Rolls Butter * * * Beatrice Creamery Company."

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, which the article purported to be.

The article was alleged to be misbranded in that it was an imitation of and was offered for sale under the distinctive name of another article, butter.

On August 17, 1936, the Beatrice Creamery Co., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond to be reworked under the supervision of this Department, so that it contain at least 80 percent of butterfat.

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

26415. Adulteration of butter. U. S. v. 5 Tubs, et al., of Butter. Decree of condemnation. Product released under bond. (F. & D. no. 38122. Sample nos. 7789-C, 7790-C.)

This case involved butter that was deficient in milk fat.

On July 29, 1936, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 41 tubs of butter at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about July 8 and July 15, 1936, by the Lakeville Creamery Co. from Lakeville, Minn., and charging adulteration in violation of the act of 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 as provided by the act of March 4, 1923.

On August 19, 1936, the Purity Creamery Co., Baltimore, Md., having appeared as claimant, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it be brought up to the legal standard.

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

26416. Adulteration of huckleberries. U. S. v. 2 Crates of Huckleberries. Default decree of condemnation and destruction. (F. & D. no. 38125. Sample no. 9470-C.)

This case involved an interstate shipment of huckleberries that were infested with maggots.

On July 24, 1936, 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 two crates of fresh huckleberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 23, 1936, by F. S. Merlino, from Hamonton, N. J., and charging adulteration in violation of the Food and Drugs Act.

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

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

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

26417. Adulteration of blueberries. U. S. v. 4 Crates of Blueberries. Default decree of condemnation and destruction. (F. & D. no. 38126. Sample no. 9471-C.)

This case involved an interstate shipment of blueberries that were infested with maggots.

On July 24, 1936, 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 four crates of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 23, 1936, by Kurt Bros., from Mount Carmel, Pa., and charging adulteration in violation of the Food and Drugs Act.

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