

28229. Adulteration of butter. U. S. v. 300 Tubs, 150 Tubs, 100 Tubs, and 88 Tubs of Butter. Consent decrees of condemnation. Product released under bond for reworking. (F. & D. Nos. 40445, 40498, 40499, 40598. Sample Nos. 49506-C, 60427-C, 60428-C, 60431-C.)

This product contained less than 80 percent of milk fat.

On or about September 16, 18, and 23, and October 12, 1937, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 638 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about August 2, 9, 18, and 30, 1937, from Muskogee, Okla., by the Southern Butter Co., and charging adulteration in violation of the Food and Drugs Act.

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 October 5 and 26, 1937, the Southern Butter Co., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for reworking so that it contain at least 80 percent of milk fat.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28230. Adulteration of butter. U. S. v. 25 Cubes of Butter. Product ordered released under bond. (F. & D. No. 40383. Sample No. 52076-C.)

This product contained less than 80 percent of milk fat.

On September 18, 1937, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 cubes of butter at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about September 8, 1937, by the Marwyn Dairy Produce Corporation from Colfax, Wis., and charging adulteration in violation of the Food and Drugs Act.

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 September 30, 1937, Kimbley Brokerage Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, the product was ordered released under bond conditioned that it be brought into compliance with the law under the supervision of this Department.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28231. Adulteration of apples. U. S. v. 150 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. No. 40393. Sample No. 41389-C.)

This product was contaminated with lead and arsenic.

On or about September 14, 1937, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 150 bushels of apples at Princeton, Tex., alleging that the article had been shipped in interstate commerce on or about September 1, 1937, from Fayetteville, Ark., by G. D. Woodall to himself at Princeton, Tex., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On October 26, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28232. Adulteration and misbranding of butter. U. S. v. 22 Cartons of Butter. Decree of condemnation. Product released under bond for reworking. (F. & D. No. 40551. Samples Nos. 54767-C, 54772-C.)

This product contained less than 80 percent of milk fat.

On October 8, 1937, 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 22 cartons of butter at Springfield, Mass., shipped on or about September 30, 1937, alleging that the