

29161. Adulteration of butter. U. S. v. 2 Cases, 4 Cases, and 11 Pounds of Butter. Default decree of forfeiture and destruction. (F. & D. No. 42492. Sample No. 27626-D.)

This product contained less than 80 percent of milk fat.

On May 12, 1938, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 6 cases and 11 pounds of butter at East St. Louis, Ill., consigned on or about May 5, 1938; alleging that the article had been shipped in interstate commerce from St. Louis, Mo., by the Hunter Packing Co.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained less than 80 percent by weight of milk fat.

On June 7, 1938, no claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

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

29162. Misbranding of potatoes. U. S. v. 200 Barrels of Potatoes. Default decree of condemnation and destruction. (F. & D. No. 42345. Sample No. 16814-D.)

This product fell below the grade declared on the label.

On May 9, 1938, 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 200 barrels of potatoes at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about May 1, 1938, from Jacksonville, Fla., by Florida Planters, Inc., of Hastings, Fla.; and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the statement on the barrel, "U. S. No. 1," was false and misleading and tended to deceive and mislead the purchaser when applied to potatoes below U. S. grade No. 1.

On June 6, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29163. Adulteration of apple butter. U. S. v. 12 Cases of Apple Butter. Default decree of condemnation and destruction. (F. & D. No. 42395. Sample No. 13157-D.)

This product contained lead.

On May 17, 1938, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 cases of apple butter at New Haven, Conn.; alleging that the article had been shipped in interstate commerce on or about February 21, 1938, from Baltimore, Md., by A. H. Renehan & Son, of Sykesville, Md.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Patapsco Brand Pure Apple Butter A. H. Renehan & Son Sykesville, Md."

It was alleged to be adulterated in that it contained an added poisonous and deleterious ingredient, lead, which might have rendered it injurious to health.

On June 30, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29164. Misbranding of olive oil. U. S. v. 24 Dozen Bottles of Olive Oil. Default decree of condemnation. Product ordered delivered to charitable institution. (F. & D. No. 42364. Sample No. 24220-D.)

This product was short of the declared volume.

On May 10, 1938, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 dozen bottles of olive oil at Cleveland, Ohio; alleging that the article had been shipped in interstate commerce on or about March 15, 1938, from Pittsburgh, Pa., by Sachs Manufacturing Co.; and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Aro Pure Virgin Imported Olive Oil * * * Sachs' Mfg. Co., Pittsburgh, Pa."

The article was alleged to be misbranded in that the statement on the label, "Contents 1½ Fl. Oz.," was false and misleading and tended to deceive and mislead the purchaser when applied to an article that was short volume; and that it was food in package form and the quantity of the contents was not