

The article was alleged to be adulterated in that a product which contained 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 act of March 4, 1923.

On February 16, 1939, Land O'Lakes Creamery, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked so that it contain not less than 80 percent of milk fat.

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

30330. Adulteration of butter. U. S. v. 17 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 45096. Sample No. 54141-D.)

This product contained less than 80 percent of milk fat.

On February 17, 1939, 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 17 tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about January 30, 1939, by Bridgewater Creamery Co. from Bridgewater, S. Dak.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product which contained 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 act of March 4, 1923.

On February 21, 1939, Hansen & Matson Co., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked to comply with the law.

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

30331. Adulteration and misbranding of concentrated essence of raspberry. U. S. v. 3 Gallon Bottles of Essence Raspberry. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. No. 43170. Sample No. 33222-D.)

This product was labeled to indicate that it was concentrated essence of raspberry; whereas it contained beta-ionone, a synthetic chemical flavor not found in raspberries.

On August 4, 1938, 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 3 gallon bottles of concentrated essence of raspberry at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about June 15, 1938, by Fritzsche Bros., Inc., from New York, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a substance which contained beta-ionone, a synthetic chemical flavor, had been substituted wholly or in part for the article. It was alleged to be adulterated further in that it had been mixed in a manner whereby inferiority was concealed.

It was alleged to be misbranded in that the statement on the label, "Essence Raspberry Aroma Extra Concentrated True Fruit," was false and misleading and tended to deceive and mislead the purchaser when applied to an article which contained beta-ionone, a synthetic chemical flavor; and in that it was an imitation of and was offered for sale under the distinctive name of another article.

On February 15, 1939, Fritzsche Bros., Inc., claimant, having admitted the allegations of the libel, a finding was made by the court that the product was adulterated, but that such adulteration was in the raw material and was not known to the claimant. Judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled "Imitation Essence Raspberry Aroma," under the supervision of this Department.

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

30332. Adulteration of butter. U. S. v. 57 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 44998. Sample No. 54137-D.)

This product contained less than 80 percent of milk fat.

On February 16, 1939, 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 57 tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about February 5, 1939, by Marion County Cooperative Creamery from Hutchinson, Kans.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product which contained 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 act of March 4, 1923.

On February 21, 1939, C. H. Weaver & Co., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked to comply with the law.

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

30333. Adulteration of butter. U. S. v. Seven Tubbs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 44999. Sample No. 54140-D.)

This product contained less than 80 percent of milk fat.

On February 21, 1939, 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 seven tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about February 7, 1939, by Modena Cooperative Creamery Co. from Modena, Wis.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product which contained 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 act of March 4, 1923.

On March 7, 1939, Modena Cooperative Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked to comply with the law.

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

30334. Adulteration of flour. U. S. v. 359 Bags of Flour. Default decree of condemnation and destruction. (F. & D. No. 43681. Sample No. 37661-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages, at the time of examination, was found to be insect-infested.

On September 24, 1938, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 359 bags of flour at Bay St. Louis, Miss.; alleging that the article had been shipped on or about August 18, 1938, by Canadian Mill & Elevator Co. from El Reno, Okla.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Canadian Seal."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On February 23, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30335. Adulteration of flour. U. S. v. 1,109 Bags and 1,235 Bags of Flour. Consent decree of condemnation. Product released under bond to be denatured for use as stock feed. (F. & D. Nos. 44043, 44044. Sample Nos. 49749-D, 49752-D, 49763-D, 49764-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages, at the time of examination, was found to be insect-infested.

On October 28, 1938, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 2,344 bags of flour at Greenwood, Miss.; alleging that the article had been shipped on or about August 11, 1938, by Hays City Flour Mills from Hays, Kans.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Prize Winner Self-Rising Flour."