

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2633.

(Given pursuant to section 4 of the Food and Drugs Act.)

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**U. S. v. 26 Tierces of Butter. Decree of condemnation by consent. Product released on bond.**

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### ADULTERATION OF BUTTER.

On February 24, 1913, 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 of the United States for said district a libel for the seizure and condemnation of 26 tierces of butter remaining unsold in the original unbroken packages and in possession of the A. H. Bull Steamship Co., Pier 7, North River, New York, N. Y., alleging that the product had been delivered on or about February 20, 1913, by V. Lopez & Co., to said steamship company for shipment from the State of New York to an insular possession of the United States, to wit, Porto Rico, and charging adulteration in violation of the Food and Drugs Act. The product was unlabeled except for stencil shipping directions.

Adulteration of the product was alleged in the libel for the reason that it consisted in part of a filthy and decomposed animal substance, to wit, rancid and moldy butter.

On May 10, 1913, the said V. Lopez & Co., a copartnership, having filed its claim for the product, and it having been reported by the Board of Food and Drug Inspection of the United States Department of Agriculture that of the butter contained in the 26 tierces a quantity amounting in all to 21 tierces was fit for reworking and the balance, namely, 5 tierces, were fit only for technical purposes, and said Board having recommended that the said 5 tierces should be released upon being denatured and marked "Mouldy grease: Not to be used for food purposes," judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimants upon payment of all the costs of the proceedings and the execution of bond in the sum of \$250, in conformity with section 10 of the Act, and upon the conditions set forth above.

B. T. GALLOWAY,

*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *September 25, 1913.*

