

on or about August 4, 1923, and transported from the State of Illinois into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat and containing excessive moisture had been mixed and packed with and substituted in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted.

On January 28, 1924, Droste & Snyder, Inc., New York, N. Y., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,400, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

12050. Adulteration of butter. U. S. v. 312 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 17639. I. S. No. 641-v. S. No. E-4438.)

On July 11, 1923, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 312 tubs of butter, at Jersey City, N. J., alleging that the article had been shipped by the J. A. Long Co., Union City, Ind., on or about June 13, 1923, and transported from the State of Indiana into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, a product deficient in butterfat and containing excessive moisture, had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength and had been substituted in whole or in part for butter, which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, butterfat, had been in whole or in part abstracted.

On January 31, 1924, the Holland Butterine Co., Jersey City, N. J., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product, with the exception of such tubs thereof as might first have been released as complying with the act, be delivered to the factory to be reprocessed, and that after such reprocessing it be reexamined by this department, and so much thereof as should meet the requirements of the act be released and the remainder thereof destroyed.

C. F. MARVIN, *Acting Secretary of Agriculture.*