

bloom \* \* \* Creamery Butter," "Creamery Butter," and "Supreme Fancy Creamery Butter \* \* \* Supreme Butter Is Guaranteed Absolutely Pure Creamery Butter, Made From Pasteurized Cream In The Best Creameries In The Finest Butter Producing Section Of The World. And If Not Better Than Any Other Butter You Ever Had On Your Table," as the case might be, appearing on the labels of respective portions of the said article, were false and misleading and deceived and misled the purchaser when applied to a product containing excessive moisture and deficient in butterfat.

On March 12, 1924, the North American Provision Co. and Armour & Co. having appeared as claimants for respective portions of the property, judgments of the court were entered ordering that the product be released to the said claimants, upon the execution of bonds in the aggregate sum of \$7,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department and that the claimants pay the costs of the proceedings.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

**12197. Adulteration and misbranding of butter. U. S. v. 299 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reconditioned.** (F. & D. No. 18429. I. S. No. 13131-v. S. No. E-4758.)

On March 1, 1924, 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 praying the seizure and condemnation of 299 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Fulton Market Cold Storage, from Chicago, Ill., on or about August 31, 1923, and transported from the State of Illinois into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, excessive moisture, had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, butterfat, had been wholly or in part abstracted.

Misbranding was alleged in the libel for the reason that the article was offered for sale under the distinctive name of another article.

On March 29, 1924, Droste & Snyder, Inc., New York, N. Y., claimant, having admitted the allegations of the libel and having 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 \$6,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

**12198. Adulteration of canned sardines. U. S. v. 50 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 17830. I. S. No. 2284-v. S. No. E-4487.)

On September 18, 1923, the United States attorney for the Western 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 praying the seizure and condemnation of 50 cases containing cans of sardines, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Columbian Canning Co., Lubec, Me., on or about July 28, 1923, and transported from the State of Maine into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Champion Brand American Sardines \* \* \* Columbian Canning Co. \* \* \* Packed And Guaranteed By The Columbian Canning Co. Washington Co. Lubec. Maine."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On October 15, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*