

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

On July 25, 1924, the Miles Friedman Co., Chicago, Ill., having appeared as claimant for the property and having consented to the entry of a decree condemning a portion of the product, judgment of condemnation and forfeiture was entered with respect thereto, and it was ordered by the court that the said portion be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$900, in conformity with section 10 of the act, conditioned in part that it be reworked under the supervision of this department, and it was further ordered by the court that the remainder of the product be released unconditionally.

HOWARD M. GORE, *Secretary of Agriculture.*

12610. Adulteration of butter. U. S. v. 32 Tubs of Butter. Product released to claimant. (F. & D. No. 18436. I. S. No. 12805-v. S. No. E-4759.)

On March 4, 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 32 tubs of butter, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Backus Creamery from Backus, Minn., July 2, 1923, and transported from the State of Minnesota 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 substances deficient in butterfat and containing excessive moisture had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength and were substituted in part for the said article. Adulteration was alleged for the further reason that a valuable constituent, to wit, butterfat, had been in part abstracted.

On July 24, 1924, the product having been theretofore analyzed and found to comply with the law, a decree of the court was entered ordering that it be released to the claimant, upon payment of the marshal's fees, and that the costs of the proceedings be not assessed against the claimant.

HOWARD M. GORE, *Secretary of Agriculture.*

12611. Adulteration of butter. U. S. v. 39 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. No. 18435. I. S. No. 12805-v. S. No. E-4759.)

On March 4, 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 39 tubs of butter, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Glen Ullin Creamery Co. from Glen Ullin, N. D., July 2, 1923, and transported from the State of North Dakota 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 substances deficient in butterfat and containing excessive moisture had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength and were substituted in part for the said article. Adulteration was alleged for the further reason that a valuable constituent, to wit, butterfat, had been in part abstracted.

On July 24, 1924, the Miles Friedman Co., Chicago, Ill., 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 \$900, in conformity with section 10 of the act, conditioned in part that it be reworked under the supervision of this department.

HOWARD M. GORE, *Secretary of Agriculture.*