

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16601-16625

[Approved by the Secretary of Agriculture, Washington, D. C., March 6, 1930]

16601. Misbranding of butter. U. S. v. 65 Cases of Print Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23889. I. S. Nos. 08965, 08966. S. No. 2047.)

On June 13, 1929, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 65 cases of print butter at Cincinnati, Ohio, consigned by G. Herman, Napoleon, Ind., in part June 7, 1929, and in part June 11, 1929, alleging that the article had been shipped in interstate commerce from Napoleon, Ind., into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended. The individual prints were wrapped in parchment paper, labeled in part: "4 Oz. Net Weight."

It was alleged in substance in the libel that the article was misbranded in violation of section 8 of the act, paragraphs 2, 3, and 4, in that the wrappers enclosing the said butter bore and contained statements regarding the weight of the individual prints thereof which were false, since the said prints were found to be short weight.

On June 17, 1929, G. Herman, Napoleon, Ind., 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 costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be repacked to conform with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16602. Misbranding of olive oil. U. S. v. 3 Cases of Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 22132. I. S. No. 21202-x. S. No. 182.)

On November 5, 1927, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3 cases of olive oil, remaining in the original unbroken packages at Wilkes Barre, Pa., alleging that the article had been shipped by the Economu (Economu)-Ritsos Co. (Inc.), from New York, N. Y., on or about July 29, 1927, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) Contents 7½ Lbs. Net. Pure Olive Oil * * * Family Brand Lucca Toscano, Italy. Packed and Imported by Economu Ritsos Company, New York, (wooden case) "This case contains 12-1 Gal. Tins."