

16718. Adulteration and alleged misbranding of butter. U. S. v. 14 Tubs, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23942, 24036. I. S. Nos. 04520, 09286. S. Nos. 2149, 2169.)

On July 22 and July 26, 1929, respectively, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 26 tubs of butter, remaining in the original unbroken packages at Chicago, Ill. It was alleged in the libels that the article had been shipped in part by the Bruce Creamery, and in part by the Bruce Creamery Co., from Bruce, S. Dak., July 13, 1929, and July 16, 1929, respectively, and transported from the State of South Dakota into the State of Illinois, and that it was adulterated and misbranded in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libels for the reason that excessive water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, in that a substance deficient in butterfat 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, and in that it did not comply with the standard established by Congress.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article. Misbranding was alleged with respect to a portion of the article for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 6, 1929, Gallagher Bros., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product adulterated and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it be reprocessed, under the supervision of this department, so that it contain not less than 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16719. Adulteration of walnuts. U. S. v. 26 Bags of Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23311. I. S. No. 01988. S. No. 1362.)

On January 7, 1929, the United States attorney for the Northern District of Illinois, 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 26 bags of walnuts, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the General Kold (Cold) Storage Co., from Detroit, Mich., November 9, 1928, and transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On April 16, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16720. Misbranding of pig meal. U. S. v. 400 Sacks, et al., of Raven Pig Meal. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 24048, 24049. I. S. Nos. 013000, 09637. S. Nos. 2157, 2158.)

On July 26, 1929, the United States attorney for the District of Kansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 520 sacks of Raven pig meal, remaining in the original unbroken packages in various lots at Hiawatha, Sabetha, and Fairview, Kans., respectively, alleging that the article had been shipped by the Raven Mineral Manufacturing Co., Council Bluffs, Iowa, in part on or about March 18, 1929, and in part on or about June 24, 1929, and transported from the State of Iowa into the State of Kansas, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Pig Meal Guaranty Crude Protein 27%, * * * Crude Fiber 6.2%."