

**16810. Adulteration and misbranding of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24225. I. S. No. 021751. S. No. 2362.)**

On September 24, 1929, 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 seizure and condemnation of 12 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Roslyn Creamery Co., Roslyn, S. Dak., in two consignments, on or before September 10 and September 14, 1929, respectively, and transported from the State of South Dakota into the State of New York, arriving on or about September 20, 1929, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed with it 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.

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

On September 28, 1929, the Roslyn Creamery Co., Roslyn, S. Dak., 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 \$400, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16811. Adulteration and misbranding of butter. U. S. v. 67 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24227. I. S. No. 024379. S. No. 2370.)**

On September 28, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the said district a libel praying seizure and condemnation of 67 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Day Cooperative Creamery Association, Braham, Minn., alleging that the article had been shipped from Braham, Minn., on or about September 26, 1929, and transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been substituted wholly or in part for the said article, and had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

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

On October 11, 1929, Wm. M. Lippincott & Co., Philadelphia, Pa., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of costs and the execution of a bond in the sum of \$2,680, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16812. Adulteration of canned strawberries. U. S. v. 59 Cases of Canned Strawberries. Default order of destruction entered. (F. & D. No. 23027. I. S. No. 01240. S. No. 1119.)**

On August 28, 1928, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court for said district a libel praying seizure and condemnation of 59 cases of canned strawberries, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Paulus Bros. Packing Co., from Mount Angel, Oreg., on or about August 3, 1928, and transported from the State of Oregon into the State of Minnesota, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Cans) "Brookland Strawberries \* \* \* Oregon Growers Cooperative Association, \* \* \* Salem, Oregon."

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