

16843. Adulteration of figs. U. S. v. 700 Boxes of Figs. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 23211. I. S. No. 03571. S. No. 1316.)

On December 1, 1928, the United States attorney for the Eastern 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 700 boxes of figs, remaining in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by G. Crisafulli, from San Francisco, Calif., on or about October 29, 1928, and transported from the State of California into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Fichi Mushioni Stefano Crisafulli, New York, N. Y."

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 August 23, 1929, by consent of the claimant, 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.*

16844. Adulteration and misbranding of butter. U. S. v. 118 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24145. I. S. No. 021234. S. No. 2305.)

On September 4, 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 118 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Park Rapids Cooperative Creamery Association, from Park Rapids, Minn., on or before August 20, 1929, and transported from the State of Minnesota into the State of New York, arriving on or about August 28, 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 17, 1929, the Great Atlantic & Pacific Tea Co., 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 \$3,750, 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.*

16845. Adulteration and misbranding of butter. U. S. v. 70 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24150. I. S. No. 021236. S. No. 2317.)

On September 4, 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 70 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Almena Creamery Co., from Almena, Wis., on or before August 20, 1929, and transported from the State of Wisconsin into the State of New York, arriving about August 28, 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 17, 1929, Hunter, Walton & Co., 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 costs and the execution of a bond in the sum of \$2,000, 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.*

16846. Adulteration and misbranding of butter. U. S. v. 20 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24144. I. S. No. 022328. S. No. 2284.)

On September 6, 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 said district a libel praying seizure and condemnation of 20 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Meadowlands Creamery Co., Meadowlands, Minn., alleging that the article had been shipped from Meadowlands, Minn., on or about August 29, 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 with it 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 September 16, 1929, C. M. Drake & 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 the said claimant upon payment of costs and the execution of a bond in the sum of \$800, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16847. Adulteration and misbranding of butter. U. S. v. 6 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24137. I. S. No. 021231. S. No. 2263.)

On August 29, 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 6 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Backus Creamery Co., from Backus, Minn., or or about August 19, 1929, and transported from the State of Minnesota into the State of New York, 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 5, 1929, the Backus Creamery Co., Backus, Minn., 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 \$200, 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.*

16848. Adulteration and misbranding of butter. U. S. v. 190 Cartons, et al., of Butter. Product ordered released under bond to be reworked. (F. & D. Nos. 24025, 24030. I. S. Nos. 011856, 011861. S. Nos. 2190, 2234.)

On or about August 6, 1929, and August 9, 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 one hundred and ninety 32-pound cartons and 380 cases of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped