

17293. Adulteration and misbranding of butter. U. S. v. 45 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24816. I. S. No. 027654. S. No. 2619.)

On March 20, 1930, 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 45 cases of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Paul A. Schulze Co., St. Louis, Mo., on or before March 12, 1930, and transported from the State of Missouri 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 April 3, 1930, the Paul A. Schulze Co., St. Louis, Mo., 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 \$750, or the deposit of collateral in like amount, 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.*

17294. Adulteration of turnip greens. U. S. v. 9 Cases, et al., of Turnip Greens. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 24542, 24543. I. S. Nos. 030493, 030492. S. Nos. 2852, 2853.)

On February 17, 1930, the United States attorney for the Southern District of Florida, 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 18 cases of canned turnip greens, remaining in the original unbroken packages at Orlando, Fla., alleging that the article had been shipped by Y. S. B. Gray & Son, Griffin, Ga., in part on or about November 21, 1929, and in part on or about December 28, 1929, and transported from the State of Georgia into the State of Florida, and charging adulteration in violation of the food and drugs act.

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

On April 17, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17295. Adulteration of filberts. U. S. v. 35 Bags of Filberts. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24310. I. S. No. 017288. S. No. 2523.)

On December 4, 1929, the United States attorney for the District of Maryland, 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 35 bags of filberts, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Higgins & James from New York, N. Y., on or about October 19, 1929, and transported from the State of New York into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "D. Spain Filberts Selected * * * Juan Montserrat Reus Spain."

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.

In April 1930, T. M. Duche & Sons, New York, N. Y., 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 good and sufficient bond, conditioned in part that it should not be sold or disposed of until reconditioned to conform to the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*