

alleged in the libels that the article had been shipped in interstate commerce by the Chinook Packing Co., from Chinook, Wash., in various lots on or about August 10, August 11, August 12, and August 25, 1932; that it remained in the original unbroken packages at Astoria, Oreg., and that it was adulterated in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted in part of a decomposed animal substance.

On October 5, 1932, the Chinook Packing Co., Chinook, Wash., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation were 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 good and sufficient bonds, conditioned that it should not be sold or disposed of contrary to the provisions of the Food and Drugs Act or the laws of any State, Territory, or insular possession. It was further ordered that the product should not be sold or disposed of until reconditioned in a manner satisfactory to this Department. The product was reconditioned by separation and destruction of the unfit portion.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20315. Adulteration and misbranding of butter. U.S. v. 13 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond for reworking. (F. & D. no. 28895. Sample no. 3564-A.)

This action was based on the interstate shipment of a quantity of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard prescribed by Congress.

On August 15, 1932, 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 the district aforesaid a libel praying seizure and condemnation of 13 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about July 28, 1932, by Model Creamery Co., from Newhall, Iowa, to Chicago, Ill., 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 therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article contained less than 80 percent of butterfat.

Misbranding was alleged for the reason that the article had been sold, shipped, and labeled as "butter", which was false and misleading, since it contained less than 80 percent of milk fat.

On October 3, 1932, William Gardemann, trading as the Model Creamery Co., Newhall, Iowa, 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 for reworking under the supervision of this Department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or disposed of contrary to the provisions of the Food and Drugs Act, or the laws of any State, Territory, District, or insular possession.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20316. Misbranding of canned black-eyed peas and canned red beans. U.S. v. 8 Cases of Canned Black-Eyed Peas, et al. Default decree of condemnation, forfeiture, and sale. (F. & D. nos. 28771, 28772. Sample nos. 2243-A, 2244-A.)

This action involved the interstate shipment of quantities of canned black-eyed peas and canned red beans, sample cans of which were found to contain less than 1 pound, the declared weight.

On August 22, 1932, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 8 cases of canned black-eyed peas and 13 cases and 12 cans of canned red beans, remaining in the original packages at Clovis, N.Mex., alleging that the article had been shipped in interstate commerce on or about February 27, 1932, by the Thrift Packing Co., from Fort Worth, Tex., to Clovis, N.Mex., and charging misbranding in violation of the food and