

further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On September 11, 1933, the defendant entered a plea of nolo contendere, and the court imposed a fine of \$10.

M. L. WILSON, *Acting Secretary of Agriculture.*

21389. Adulteration of butter. U. S. v. 13 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.
(F. & D. no. 31202. Sample no. 40347-A.)

This case involved a shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On or about September 20, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about August 14, 1933, by Ashley Creamery Co., from Ashley, N.Dak., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that a product containing not less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by the act of March 4, 1923.

On September 20, 1933, the Peter Fox Sons Co., Chicago, Ill., claimant, having admitted the allegations of the libel and 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 claimant upon payment of costs and the execution of a good and sufficient bond conditioned in part that it be reworked under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

21390. Adulteration of butter. U. S. v. 7 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.
(F. & D. no. 30962. Sample no. 40712-A.)

This case involved a shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On July 13, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of seven tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about July 6, 1933, by C. A. Bulgrin, from Somerset, Wis., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by the act of March 4, 1923.

On July 24, 1933, the Peter Fox Sons Co., Chicago, Ill., claimant, having admitted the allegations of the libel and 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 claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it be reworked under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

21391. Adulteration of butter. U. S. v. 23 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.
(F. & D. no. 30963. Sample no. 40720-A.)

This case involved a shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On or about July 18, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 23 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about July 11, 1933, by McAllister Bros., Marceline, Mo., and charging adulteration in violation of the Food and Drugs Act.