

district court a libel praying seizure and condemnation of 22 cubes of butter at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about July 20, 1933, by the Ada County Dairymen's Association, from Meridian, Idaho, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Ada County Dairymen's Assn. Meridian Idaho Bulk Butter."

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.

Misbranding was alleged for the reason that the article was labeled "Butter", which was false and misleading, since it contained less than 80 percent of milk fat.

On September 5, 1933, the Ada County Dairymen's Association, claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment was entered finding the product adulterated and ordering its condemnation and forfeiture. It was further ordered that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$350, conditioned in part that it be reworked under the supervision of this Department, so that it meet the requirements of the Food and Drugs Act.

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

21656. Misbranding of bone meal. U. S. v. 360 Bags of Cico Brand Bone Meal. Consent decree of condemnation. Product released under bond to be resacked. (F. & D. no. 30994. Sample no. 19838-A.)

This case involved an interstate shipment of bone meal that was found to be short of the labeled weight.

On August 12, 1933, the United States attorney for the District of Kansas, acting upon a report by a representative of the Kansas State Board of Agriculture, filed in the district court a libel praying seizure and condemnation of 360 bags of Cico brand imported steamed odorless bone meal at Topeka, Kans., alleging that the article had been shipped on or about June 16, 1933, by the Consumers Import Co., Inc., of New York, N.Y., from Galveston, Tex., to Topeka, Kans., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "C. I. Co. 100# Net. Made in Germany. Fine."

It was alleged in the libel that the article was misbranded in that each bag was represented to contain 100 pounds net weight, whereas each bag contained less than 100 pounds net weight.

On October 9, 1933, Forbes Bros. Central Mills, Topeka, Kans., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation 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 \$100, conditioned that it be resacked under the supervision of the Kansas State Board of Agriculture.

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

21657. Adulteration of crab meat. U. S. v. 84 Pounds of Crab Meat. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30965. Sample no. 44115-A.)

This case involved an interstate shipment of crab meat that was found to contain filth and was also in part decomposed.

On or about August 10, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 84 pounds of crab meat at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about August 7, 1933, by F. H. Ayers & Son, from Norfolk, Va., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy and decomposed animal substance.

On November 6, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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