

**21870. Adulteration of tullibeas. U. S. v. 3 Boxes of Tullibeas. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31691. Sample no. 59861-A.)**

This case involved a shipment of tullibeas that were infested with parasitic worms.

On November 7, 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 3 boxes of tullibeas at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about October 31, 1933, by Edward Tobin, from Baudette, Minn., 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 part of a filthy, decomposed, and putrid animal substance. Adulteration was alleged for the further reason that the article consisted of portions of animals unfit for food.

On December 20, 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.*

**21871. Adulteration of walnut pieces. U. S. v. 49 Boxes of Walnut Pieces. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31692. Sample no. 64054-A.)**

This case involved a shipment of walnut pieces that were found to be rancid and wormy.

On December 11, 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 49 boxes of walnut pieces at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about October 14, 1932, by Wood & Selick, from New York, N.Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "W \* \* \* S. A. Belle Invalides \* \* \* 1930 Crop France."

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

On January 9, 1934, 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.*

**21872. Adulteration of butter. U. S. v. 45 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 31710. Sample no. 51911-A.)**

This case involved an interstate 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 November 22, 1933, 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 a libel praying seizure and condemnation of 45 tubs of butter at New York, N.Y., alleging that the article had been shipped in interstate commerce on or about November 8, 1933, by the Sardis Creamery Co., from Sardis, Miss., 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 November 23, 1933, the Sardis Creamery Co., Sardis, Miss., having appeared by agent and filed a claim for the property and 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 bond in the sum of \$1,000, or the deposit of collateral in like amount, conditioned that it be reworked so that it contain at least 80 percent of butter-fat.

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