

Dubuque, Iowa, alleging that the article had been shipped in interstate commerce on or about November 18, 1933, by the Mount Hope Cooperative Creamery, from Mount Hope, 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 December 8, 1933, the Mount Hope Cooperative Creamery Co., Mount Hope, Wis., 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 claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be reworked under the supervision of this Department so that it contain at least 80 percent of milk fat.

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

21959. Adulteration of apples. U. S. v. 450 Baskets of Apples. Consent decree of condemnation. Product released under bond for removal of deleterious ingredients. (F. & D. no. 31853. Sample no. 50502-A.)

This action involved an interstate shipment of apples that were found to bear arsenic and lead in amounts that might have rendered them injurious to health.

On December 30, 1933, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 450 baskets of apples at Cincinnati, Ohio, consigned by J. J. Jackson & Son, from Middleport, N.Y., on or about December 23, 1933, alleging that the article had been shipped in interstate commerce from Middleport, N.Y., into the State of Ohio, 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 contained arsenic and lead, added poisonous or deleterious ingredients.

On January 2, 1934, Stephen Bender, Cincinnati, Ohio, claimant, having admitted the allegations of the libel 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 claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned that it should not be disposed of in violation of the law. The deleterious ingredients were removed by washing.

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

21960. Adulteration of butter. U. S. v. 12 Barrels of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31856. Sample no. 51799-A.)

This case involved a shipment of butter that contained insects, insect larvae, and filth.

On December 18, 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 12 barrels of butter at New York, N.Y., alleging that the article had been shipped in interstate commerce on or about December 8, 1933, by the J. W. Buffington Co., from Baltimore, Md., 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, decomposed, or putrid animal substance.

On January 19, 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.*

21961. Misbranding of butter. U. S. v. 13 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 31857. Sample no. 58105-A.)

Sample cartons of butter taken from the shipment involved in this case were found to contain less than 1 pound, the labeled weight.

On December 21, 1933, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 boxes of butter at