

22170. Adulteration of butter. U. S. v. 6 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 32381. Sample no. 66091-A.)

This case involved a shipment of butter which was low in milk fat.

On February 19, 1934, 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 six tubs of butter at New York, N.Y., alleging that the article had been shipped in interstate commerce on or about February 9, 1934, by the Farmers Creamery Co. of Belmond, Iowa, in pool car shipment from Kanawha, Iowa, 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 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 Congress of March 4, 1923.

On March 13, 1934, S. & W. Waldbaum, Inc., New York, N.Y., 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 claimant, upon payment of costs and the execution of a bond in the sum of \$150, conditioned that it be reworked so that it contain at least 80 percent of milk fat.

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

22171. Adulteration of butter. U. S. v. 200 Boxes and 29 Boxes of Butter. Product adjudged adulterated. Released under bond to be reworked. (F. & D. nos. 32374, 32383. Sample nos. 59248-A, 68611-A.)

These cases involved shipments of butter which were low in milk fat.

On February 8 and February 13, 1934, the United States attorney for the Eastern District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 229 boxes of butter at St. Louis, Mo., alleging that the article had been shipped in interstate commerce, on or about May 23 and May 25, 1933, by the Davis-Cleaver Produce Co., from Quincy, Ill., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libels 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 Congress of March 4, 1923.

On February 26, 1934, the Davis-Cleaver Produce Co. having appeared as claimant for the property and having admitted the allegations of the libels, decrees were entered ordering the product released to the claimant upon payment of costs and the execution of bonds totaling \$2,200, conditioned that it be reworked so that it contain not less than 80 percent of milk fat.

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

22172. Adulteration of butter. U. S. v. 26 Cases of Butter. Default decree of condemnation and destruction. (F. & D. no. 32385. Sample no. 68653-A.)

This case involved an interstate shipment of butter which was found to contain filth.

On January 31, 1934, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 26 cases of butter at Memphis, Tenn., alleging that the article had been shipped in interstate commerce, on or about January 26, 1934, by the Elsass Creamery, Rector, Ark., 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 decomposed animal substance.

On March 31, 1934, no claimant having appeared for the property, judgment of condemnation 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.*

22173. Adulteration of tangerines. U. S. v. 68 Cases of Tangerines. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32387. Sample no. 59708-A.)

This case involved an interstate shipment of decomposed tangerines.

On January 17, 1934, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the