

The article was alleged to be adulterated in that it consisted of decomposed animal substance.

On May 6, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

26077. Adulteration of frozen headless shrimp. U. S. v. 260 Pounds of Frozen Headless Shrimp. Default decree of condemnation and destruction. (F. & D. no. 37671. Sample no. 44585-B.)

This case involved a shipment of frozen headless shrimp that were decomposed.

On March 21, 1936, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 260 pounds of frozen headless shrimp at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about January 10, 1936, by the Booth Fisheries Corporation, from New York, N. Y., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted of a decomposed animal substance.

On April 20, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

26078. Misbranding of butter. U. S. v. 40 Cases of Butter, and other cases. Consent decrees of condemnation. Product released under bond for reconditioning. (F. & D. nos. 37672, 37674, 37675, 37676. Sample nos. 46707-B, 46724-B, 46730-B, 46732-B, 46740-B.)

These cases involved interstate shipments of butter that contained less than 80 percent of milk fat.

The United States attorney for the District of Hawaii, acting upon reports by the Secretary of Agriculture, filed on January 23, January 29, and February 6, 1936, libels praying seizure and condemnation of 105 cases of butter at Honolulu, Hawaii, alleging that the article had been shipped in interstate commerce on or about January 14, 21, and 28, 1936, by American Factors, Ltd., from San Francisco, Calif., and that it was misbranded in violation of the Food and Drugs Act as amended. The article, contained in 1-pound cartons each containing four 4-ounce wrapped prints, was labeled in part: (Cartons) "The Genuine Modesto Butter Churned Daily at Modesto, California Net Weight One Pound" (print wrappers) "Modesto Pasteurized Butter Net Weight Four Ounces Manufactured Exclusively by Milk Producers Association of Central California, Modesto, California."

The article was alleged to be misbranded in that the said statements on the cartons and on the print wrapper labels were false and misleading and deceived and misled the purchaser, since they represented that the article was butter, a product which must contain not less than 80 percent by weight of milk fat as required by the act of Congress of March 4, 1923; whereas in fact the article contained less than 80 percent by weight of milk fat.

On January 23, 29, and February 6, 1936, American Factors, Ltd., claimant, having admitted the allegations of the four libels and having consented to decrees, judgments of condemnation were entered, and it was ordered that the product be released under bond conditioned that it be returned to San Francisco, Calif., and there be reconditioned and repacked. On April 1, 1936, it having been found impossible to recondition the product in the lot of 40 cases and the lot of 25 cases condemned under the two libels filed on January 23, 1936, it was ordered that the claimant be permitted to sell it for the manufacture of soap.

W. R. GREGG, *Acting Secretary of Agriculture.*

26079. Misbranding of butter. U. S. v. Five Cases of Butter. Consent decree of condemnation. Product released under bond for reconditioning. (F. & D. no. 37673. Sample no. 46725-B.)

This case involved an interstate shipment of butter that contained less than 80 percent of milk fat.

On January 29, 1936, the United States attorney for the District of Hawaii, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of five barrels of butter at Honolulu, Hawaii, alleging that the article had been shipped in interstate commerce on or