13149. (Supplement to Notice of Judgment No. 12499.) Adulteration of canned raspberries. U. S. v. 485 Cases and 140 Cases of Raspberries. Default decree of condemnation and destruction or sale. (F. & D. Nos. 16784, 16820. I. S. Nos. 3771-v. 4076-v. S. Nos. C-3787, C-3805.)

On February 27, 1925, the decree entered in the case involving the shipment of 625 cases of canned raspberries, by Friday Bros. Canning Co., Coloma, Mich., into the State of Illinois, which provided for the release of the product under bond to the claimant to be salvaged, was vacated by the court nunc pro tunc (now for then) as of July 26, 1924.

On February 28, 1925, a default decree was entered by the court, ordering the destruction of the product, said decree providing, however, that such part of the product as might be found by this department to be fit for food might be sold by the United States marshal.

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

13150. Adulteration of butter. U. S. v. 9 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19808. I. S. No. 23107-v. S. No. C-4641.)

On February 6, 1925, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 9 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Community Creamery Co., from Riley, Kans., January 28, 1925, and transported from the State of Kansas into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance to wit, excessive water had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, for the further reason that a valuable constituent, to wit, butterfat, had been in part abstracted from the said article, and for the further reason that it contained less than 80 per cent of butterfat.

During the February, 1925, term of court, Gallagher Bros., Chicago, Ill., 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 said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department so as to contain not less than 80 per cent of butterfat.

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