

by the Rockwell Cooperative Creamery Co., from Rockwell, Iowa, on or about March 10, 1925, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that it was an imitation of or offered for sale under the distinctive name of another article.

On April 4, 1925, the Thornton Creamery Co., 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 \$2,400, in conformity with section 10 of the act, conditioned in part that it be reworked and reprocessed so as to contain at least 80 per cent of butterfat and the packages marked to show the quantity of the contents.

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

13281. Adulteration and misbranding of butter. U. S. v. 14 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. No. 20018. I. S. No. 13636-v. S. No. E-5254.)

On or about March 26, 1925, 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 of the United States for said district a libel praying the seizure and condemnation of 14 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Clermont Valley Creamery, from Clermont, Iowa, on or about March 10, 1925, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article.

On April 9, 1925, the Clermont Valley Creamery Co., Clermont, Iowa, claimant, having admitted the allegations of the libel and having consented to the entry of a decree and to recondition the butter so that it should contain at least 80 per cent of butterfat, 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 \$450, in conformity with section 10 of the act, conditioned in part that it be reworked and reprocessed to meet the requirements of the law.

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

13282. Adulteration of milk. U. S. v. John A. Bergmann (Newport Milk Co.). Plea of guilty. Fine, \$10. (F. & D. No. 8939. I. S. Nos. 808-m, 810-m, 846-m, 848-m, 892-m, 951-m, 952-m, 966-m, 2237-p.)

On November 25, 1918, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John A. Bergmann, trading as Newport Milk Co., Newport, Vt., alleging shipment by said defendant, in violation of the food and drugs act, in various consignments, namely, on or about July 19 and 20, August 22, 23, 24, 1916, and August 17, 1917, respectively, from the State of Vermont into the State of Massachusetts, of quantities of milk which was adulterated.

Examination of the article by the Bureau of Chemistry of this department showed that it contained an excessive amount of bacteria.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 9, 1925, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

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