14209. Adulteration of oleomargarine. U. S. v. 20 Cases of Oleomargarine. Product ordered released under bond. (F. & D. No. 20672. I. S. Nos. 4821-x, 4822-x, 4823-x. S. No. E-5597.)

On November 30, 1925, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel and on January 15, 1926, an amended libel praying the seizure and condemnation of 20 cases of oleomargarine, at San Juan, P. R., alleging that the article had been shipped by Swift & Co., Jersey City, N. J., in various consignments, namely, on or about June 5, 19, and 25, 1925, respectively, and transported from the State of New Jersey into the Territory of Porto Rico, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Oleomargarine 5 Lbs. Net. * * * Swift & Company."

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

On February 1, 1926, Swift & Co. having appeared as claimant for the property, a decree was entered, adjudging that the allegations of the amended libel be taken as admitted, and it was further ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of $400, conditioned in part that it be reshipped to Jersey City, N. J., and there examined, and the portion determined by this department to comply with the law released. It was further ordered that the claimant pay the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14210. Misbranding of butter. U. S. v. 19 Boxes of Butter. Decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 21009. I. S. No. 5473-x. S. No. E-5701.)

On March 25, 1926, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying seizure and condemnation of 19 boxes of butter, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Strafford Creamery Co., South Strafford, Vt., and transported from the State of Vermont into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Misbranding of the article was alleged in the libel for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made thereon was not correct.

On April 5, 1926, the Strafford Creamery Co., South Strafford, Vt., having appeared as claimant for the property and having admitted the allegations of the libel, 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 deposit of $500, in lieu of bond, as surety that the claimant would abide by the orders of the court, and it was further ordered that the product be reworked and relabeled under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14211. Adulteration of butter. U. S. v. 39 Cubes of Butter. Decree adjudging product adulterated and ordering its release. (F. & D. No. 21002. I. S. No. 1138-x. S. No. W-1939.)

On or about March 18, 1926, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 39 cubes of butter, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by L. J. Durant & Co., from Grace, Idaho, on or about March 6, 1926, and transported from the State of Idaho into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From L. J. Durant & Co., Grace."

Adulteration of the article was alleged in the libel for the reason that a product deficient in milk fat had been substituted wholly or in part for butter, and in that a valuable constituent, namely, milk fat, had been in part abstracted, so as to reduce, lower, or injuriously affect its quality and strength.