16805. Adulteration of butter. U. S. v. 87 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24136. I. S. No. 011509. S. No. 2318.)

On September 13, 1929, 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 praying seizure and condemnation of 87 boxes of butter, remaining in the original unbroken packages at Springfield, Mass., consigned on or about August 27, 1929, alleging that the article had been shipped by the North American Creameries (Inc.), Carrington, N. Dak., and transported from the State of North Dakota into the State of Massachusetts, 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 per cent of milk fat had been substituted for butter, which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter contain not less than 80 per cent by weight of milk fat.

On September 18, 1929, the North American Creameries (Inc.), Boston, Mass., 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 costs and the execution of a bond in the sum of $2,000, conditioned in part that it be reworked, under the supervision of this department, so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16806. Adulteration of butter. U. S. v. 25 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24228. I. S. No. 016231. S. No. 2400.)

On September 20, 1929, 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 seizure and condemnation of 25 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the York Cooperative Creamery Co., from Williamsburg, Iowa, September 9, 1929, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the food and drugs act.

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

On September 26, 1929, the H. C. Christians Co., 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 costs and execution of a bond in the sum of $1,000, conditioned in part that it be reprocessed under the supervision of this department so that it contain not less than 80 per cent of milk fat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16807. Adulteration and misbranding of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24135. I. S. No. 021238. S. No. 2285.)

On September 4, 1929, 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 seizure and condemnation of 11 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Ideal Creamery Co., Aitkin, Minn., on or before August 23, 1929, and transported from the State of Minnesota into the State of New York, received on or about August 30, 1929, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed with it 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.