

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

On August 27, 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 was entered, finding the product adulterated and ordering its condemnation and forfeiture, and it was further 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 \$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.*

16772. Adulteration of butter. U. S. v. 67 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23893. I. S. No. 08354. S. No. 2063.)

On June 14, 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 67 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by A. T. Crouch's (the A. T. Crouch) Creamery, from Fort Smith, Ark., in part on April 30, 1929, and in part on May 7, 1929, and transported from the State of Arkansas 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 a substance, to wit, 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 article, in that a valuable constituent, butterfat, had been in part abstracted from the said article, and in that it contained less than 80 per cent of butterfat.

On July 16, 1929, the A. T. Crouch Creamery, Fort Smith, Ark., 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 the 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.*

16773. Adulteration of butter. U. S. v. 25 Half Tubs, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23959. I. S. No. 010257. S. No. 2121.)

On or about July 10, 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 half tubs and 33 large tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by Ernster Bros., from Tipton, Iowa, June 22, 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 July 13, 1929, Harry A. Ernster and Raymond J. Ernster, copartners, trading as Ernster Bros., at Chicago, Ill., claimants, 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 the execution of a cash bond in the sum of \$500, conditioned in part that it be reprocessed, under the supervision of this department, so that it contain not less than 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*