at New York, N. Y., alleging that the article had been shipped by the Dike Creamery Co., Dike, Iowa, on or about June 30, and July 5, 1930, and had been 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.

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, and had been substituted wholly or in part for the said article.

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

On July 17, 1930, the Dike Creamery, Dike, Iowa, claimant, having admitted the allegations of the libel and consented to the entry of a decree and having agreed to recondition the product so that it 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 costs and the execution of a bond in the sum of $700, conditioned in part that it be reworked and reprocessed so that it comply with the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17582. Adulteration and misbranding of butter. U. S. v. 150 Boxes and 25 Tubs of Butter. Decree of condemnation and forfeiture. Product released under cash bond. (F. & D. No. 24956. I. S. Nos. 5554, 5555, 5556, 5558. S. No. 3284.)

Samples of butter from the herein described interstate shipment having been found to contain less than the legal requirement of milk fat, namely, less than 80 per cent of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On July 14, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 150 boxes and 25 tubs of butter, remaining in the original unbroken packages at Boston, Mass., consigned on or about July 2, 1930, alleging that the article had been shipped by the David Cole Creamery Co., Omaha, Nebr., and had been transported from the State of Nebraska into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The portion of the article contained in boxes was labeled in part: "Butter."

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent by weight of milk fat had been substituted for butter, which the said article purported to be, the act of Congress of March 4, 1923, providing that butter should contain not less than 80 per cent of milk fat.

Misbranding was alleged for the reason that the statement "Butter," borne on the label, was false and misleading, since the article contained less than 80 per cent of milk fat.

On July 24, 1930, the David Cole Creamery Co., Omaha, Nebr., having appeared as claimant for the property, 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 deposit of $200 in lieu of bond, conditioned in part that it be reworked so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17583. Adulteration and misbranding of butter. U. S. v. 26 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24960. I. S. No. 036631. S. No. 3244.)

Samples of butter from the herein described interstate shipment having been found to contain less than the legal requirement of milk fat, namely, less than 80 per cent of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On or about June 27, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 26 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Minton Creamery Co., from Harper, Kans., June 16, 1930, and transported from the State of Kansas into the State of Illinois, 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 therewith so as to