Misbranding of the said tub butter was alleged for the reason that the statement "Butter," borne on the label, was false and misleading and deceived and misled the purchaser; and for the further reason that the article was offered for sale under the distinctive name of another article. Misbranding was alleged with respect to the print butter for the reason that the statement "One Pound Net," borne on the label, was false and misleading and deceived and misled the purchaser; and for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 9, 1930, the Paul A. Schulze Co., St. Louis, Mo., having appeared as claimant for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product might be released to the said claimant upon payment of costs and the execution of bonds totaling $1,000, conditioned in part that it should not be sold or disposed of until reconditioned so that it contain at least 80 per cent of milk fat, and the packages labeled to show the correct net weight. On February 7, 1931, the claimant having failed to recondition a portion of the product, a decree was entered ordering that the said portion be destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17588. Adulteration and misbranding of butter. U. S. v. 9 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24954. I. S. No. 037673. S. No. 3254.)

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 Eastern District of Louisiana.

On or about July 2, 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 9 tubs of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Willow Springs Creamery Co., Springfield, Mo., on or about June 23, 1930, and had been transported from the State of Missouri into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act. The article was marked on tubs: "Wilson's Clear Brook Butter."

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

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

On July 14, 1930, the Willow Springs Creamery Co., Springfield, Mo., 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 reworked and reconditioned in compliance with the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17589. Adulteration and misbranding of butter. U. S. v. 9 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24966. I. S. No. 6640. S. No. 3283.)

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 July 15, 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 9 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Lexington Creamery Co., from Lexington, Nebr., on July 2, 1930, and transported from the State of Nebraska 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