18144. Adulteration and misbranding of butter. U. S. v. 18 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25255. I. S. No. 7565. S. No. 3369.)

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 August 25, 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 18 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Kendall Cooperative Creamery Co., Kendall, Wis., July 22, 1930, and had been transported from the State of Wisconsin 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 reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article was deficient in butterfat, in that it contained less than 80 per cent of butterfat.

Misbranding was alleged for the reason that the article had been sold, shipped, and labeled as butter, which was false and misleading in that the said article contained less than 80 per cent of milk fat.

On August 25, 1930, the National Tea 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 for reworking under the supervision of this department, upon payment of costs and the execution of a bond in the sum of $500, conditioned in part that it should not be sold or otherwise disposed of contrary to the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18145. Adulteration of canned salmon. U. S. v. 1,252 Cases, et al., of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25341. I. S. Nos. 1098, 1188, 1189, 1334, 1335, 1339. S. No. 3611.)

Samples of canned salmon from the herein-described shipments having been found to contain tainted and stale fish, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.

On November 25, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 2,250 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that on or about September 12, 1930, the article had been shipped in interstate commerce by Libby, McNeill and Libby from Karheen, Alaska, into the State of Washington, and charging adulteration in violation of the food and drugs act. The cases containing the article were labeled in part: "Happy Vale Brand Pink Salmon." A portion of the cans were labeled in part: "Happy Vale Brand Pink Salmon Packed for Emery Food Co., Chicago, U. S. A."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On January 3, 1931, the Emery Food 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 the execution of a bond in the sum of $5,000, conditioned in part that the good portion be separated from the adulterated portion, under the supervision of this department, and the latter destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18146. Adulteration of chestnuts. U. S. v. 25 Kegs of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25540. I. S. No. 14542. S. No. 3813.)

Samples of chestnuts from the shipment herein described having been found to be wormy and moldy, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Florida.

On December 26, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and