19140. Adulteration of butter. U. S. v. 14 Tubs, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27840. I. S. No. 42708. S. No. 5664.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard provided by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On December 28, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 43 tubs of butter at New York, N. Y., alleging that the article had been shipped by the Sardis Creamery, Sardis, Miss., on or about December 8, 1931, and had been transported from the State of Mississippi into the State of New York, 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 by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent of milk fat as provided by law.

Zenith-Godley Co. (Inc.), agent for Peter Fox Sons Co., Chicago, Ill., interposed a claim for the product and admitted the allegations of the libel, consented to the entry of a decree, and agreed that the product be reconditioned so that it contain at least 80 per cent of butterfat. On January 6, 1932, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered 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 reworked so that it comply with the law, and that it should not be disposed of until examined and released by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19141. Adulteration of herring. U. S. v. 3 Boxes, et al., of Herring. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 27854, 27859. I. S. Nos. 44145, 44167. S. Nos. 5732, 5733.)

Samples of herring from the shipments herein described having been found to be infested with worms and unfit for food, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On December 11, 1931 and December 15, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of six boxes of herring at Chicago, Ill., alleging that the article had been shipped by Ed Ness, from Beaver Bay, Minn., in part on or about December 4, 1931, and in part on or about December 11, 1931, and had been transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance. Adulteration was alleged for the further reason that the article consisted of a portion of an animal unfit for food.

On January 11, 1932, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19142. Adulteration of herring. U. S. v. 4 Cases, et al., of Herring. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 27864, 27865, 27867, 27879, 27882. I. S. Nos. 44141, 44157, 44166, 50278, 50296. S. Nos. 5708, 5709, 5710, 5711, 5712.)

Samples of herring from the shipments herein described having been found to be infested with worms and unfit for food, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On December 11, December 14, and December 15, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 21 cases or boxes of herring at Chicago, Ill., alleging that the article had been shipped by Thor Carlsen, from Schroeder, Minn., in various consignments, on or about December 4, December 8, and December 11, 1931, and had been transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.