19148. Adulteration of herring. U. S. v. 4 Boxes of Herring. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27856. I. S. No. 50285. S. No. 5728.)

Samples of herring from the shipment 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 14, 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 four boxes of herring at Chicago, Ill., alleging that the article had been shipped from Little Marais, Minn., by H. Mickelsen on or about December 8, 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 libel 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, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19149. Adulteration of herring. U. S. v. 3 Boxes, et al., of Herring. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 27858, 27860, 27861, 27868, 27875, 27878, 27881. I. S. Nos. 35088, 44132, 44136, 44142, 44147, 44169, 50286. S. Nos. 5258, 5718, 5719, 5720, 5721, 5722, 5723.)

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 September 23, December 11, December 14, and December 16, 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 boxes or cases of herring at Chicago, Ill., alleging that the article had been shipped by R. R. Midbrod, from Beaver Bay, Minn., in various consignments, on or about September 18, 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.

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 November 24, 1931, and 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.*

19150. Adulteration of butter. U. S. v. Sunlight Produce Co. Plea of guilty. Fine, $50. (F. & D. No. 25040. I. S. Nos. 036836, 036838.)

Samples of butter from the shipments herein described having been found to contain less than 80 per cent of milk fat, the standard prescribed by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Wisconsin.

On October 25, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid an information against the Sunlight Produce Co., a corporation, Superior, Wis., alleging shipment by said company in violation of the food and drugs act, in part on or about April 7, 1930, and in part on or about April 23, 1930, from the State of Wisconsin into the State of Minnesota of quantities of butter that was adulterated. A portion of the article was contained in tubs labeled in part: "Sunlight Creamery Butter." The remainder was contained in packages labeled in part: "Sunlight Creamery Butter. The Cudahy Packing Co., Distributors * * * Chicago, Ill."

It was alleged in the information that the article was adulterated in that a product which contained less than 80 per cent of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight.