29588. Adulteration and misbranding of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 43508. Sample No. 32466–D.)

This product contained less than 80 percent of milk fat.

On August 10, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about July 28, 1938, by Merchants Dairy Co. from Desloge, Mo.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat, as provided by act of March 4, 1923.

It was alleged to be misbranded in that it was labeled butter, which was false and misleading since it contained less than 80 percent of milk fat.

On August 19, 1938, D. J. Coyne & Co., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked under the supervision of this Department so as to comply with the law.

M. L. WILSON, *Acting Secretary of Agriculture.*

29589. Adulteration of butter. U. S. v. 69 Tubs and 35 Tubs of Butter. Consent decrees of condemnation. Product released under bond to be reworked. (F. & D. Nos. 43978, 43980. Sample Nos. 21806–D, 32478–D.)

This product contained less than 80 percent of milk fat.

On August 30 and September 3, 1938, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 104 tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce in two consignments on or about August 16 and 22, 1938, by A. T. Crouch Creamery Co. from Bloomer, Ark., and from St. Louis, Mo., respectively; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat, as provided by act of March 4, 1923.

On September 13, 1938, the Peter Fox Sons Co., Chicago, Ill., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond, conditioned that it be reworked to comply with the law.

M. L. WILSON, *Acting Secretary of Agriculture.*

29590. Adulteration of corn meal. U. S. v. 125 Bags of Corn Meal. Consent decree of condemnation. Product released under bond to be used for purposes other than human consumption. (F. & D. No. 43532. Sample No. 38116–D.)

This product having been shipped in interstate commerce and remaining unsold and in the original packages, was at the time of examination found to be insect-infested.

On August 27, 1938, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 125 boxes of corn meal at Mobile, Ala.; alleging that the article had been shipped on or about July 20, 1938, by J. F. Weinmann Milling Co. from Little Rock, Ark.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Rose City Roller Mills Purity Corn Cream Meal."

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance.

On September 8, 1938, Ziliak & Schafer Milling Co., Inc., Mobile, Ala., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be used for animal feed, or for some purpose other than human consumption.

M. L. WILSON, *Acting Secretary of Agriculture.*