On August 22, 1934, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 600 cases of roll butter at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or about August 13, 1934, by the Southern Butter Co., from Muskogee, Okla., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Parchment wrapper) "1 Lb. Net Weight When Packed"; (shipping carton) "Butter 30 Lbs. Net Wt. Rolls 1 Lb. Country Roll."

The article was alleged to be adulterated in that a substance deficient in butterfat had been mixed and packed with it so as to reduce or lower or injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Misbranding was alleged for the reason that the statements, (parchment wrapper) "1 Lb. Net Weight When Packed" and (shipping carton) "Butter 30 Lbs. Net Wt. Rolls," and "1 Lb. Country Roll", were false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package since the statement made was not correct.

On September 28, 1934, the Southern Butter Co. having appeared as claimant for the property, judgment was entered ordering that the product be released under bond, conditioned that it be reworked and otherwise made to comply with the law, under the supervision of this Department.

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

24225. Adulteration of butter. U. S. v. 2 Carloads of Butter. Portion of product released. Remainder condemned and destroyed. (F. & D. no. 33494. Sample no. 2840–B.)

This case involved an interstate shipment of butter which was found to be in part moldy.

On August 21, 1934, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of two carloads of butter at Cincinnati, Ohio, consigned June 19, 1934, alleging that the article had been shipped in interstate commerce by Schlosser Bros., from Indianapolis, Ind., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On December 7, 1934, Schlosser Bros. having appeared as claimant for the property, judgment was entered ordering that a part of the butter be released as not adulterated; that a part be condemned as adulterated and destroyed or disposed of for technical purposes, and that the remainder be held by the United States marshal for further testing. On February 26, 1935, judgment was entered nunc pro tunc as of December 11, 1934, finding that the butter in the custody of the marshal was in part adulterated and in part not adulterated, and ordering destruction of the former and release of the latter.

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

24226. Adulteration of canned tomato juice. U. S. v. 91 Cases of Canned Tomato Juice. Default decree of condemnation and destruction. (F. & D. no. 33509. Sample no. 10525–B.)

This case involved an interstate shipment of canned tomato juice which was found to be partially decomposed.

On September 18, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 91 cases of canned tomato juice at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about July 26, 1934, by Edgar F. Hurff, from Swedesboro, N. J., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Hurff Brand Tomato Juice * * * Packed by Edgar F. Hurff Swedesboro, N. J."

The article was alleged to be adulterated in that it consisted in part of a decomposed vegetable substance.

On January 9, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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