22472. Adulteration of butter. U. S. v. 3,076 Pounds of Packing Stock Butter. Default decree of destruction. (F. & D. no. 32652. Sample no. 69039–A.)

A sample of butter taken from the shipment involved in this case was found to contain filth.

On March 17, 1934, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 3,076 pounds of packing-stock butter at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about March 3, 1934, by Bonham Poultry & Egg Co., from Bonham, Tex., 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 whole or in part of filthy, decomposed, and putrid animal substance.

On June 27, 1934, no claimant having appeared for the property, judgment was entered finding the product adulterated and ordering that it be destroyed by the United States marshal.

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

22473. Adulteration and misbranding of butter. U. S. v. 200 Pounds of Butter. Default decree of destruction. (F. & D. no. 32653. Sample no. 60874–A.)

This case involved a shipment of butter that contained mold and that was also found to contain less than 80 percent of milk fat.

On March 29, 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 200 pounds of butter at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce (Mar. 20, 1934), by R. Pierce, from Huntington, W. Va., 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 product deficient in milk fat had been substituted for butter, which the article purported to be. Adulteration was alleged for the further reason that the article consisted wholly or in part of a filthy animal or vegetable substance.

Misbranding was alleged for the reason that the article was sold as and purported to be butter, wherein it contained less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On March 29, 1934, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

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

22474. Adulteration of butter. U. S. v. 34 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 32840. Sample no. 67952–A.)

This case involved a shipment of butter that contained less than 80 percent of milk fat.

On April 16, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 34 tubs of butter at Jersey City, N. J., alleging that the article had been shipped in interstate commerce, on or about April 6, 1934, by the North Star Creamery Co., from Kenyon, Minn., 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 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 the act of March 4, 1923.

On April 27, 1934, the North Star Creamery Co., having appeared through an agent as claimant, and having admitted the allegations of the libel and 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 claimant upon payment of costs and the execution of a bond in the sum of $600, conditioned that it be reworked so that it comply with the law.

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