21434. Adulteration of beer. U. S. v. 4,998 Cartons of Bottled Beer. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30735. Sample no. 37288–A.)

This case involved a shipment of bottled beer which was found to be sour.

On July 14, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4,998 cartons of bottled beer at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about May 12, 1933, by the Brooklyn Bottling & Distributing Co., from Brooklyn, N.Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Interbror Beverage Corp. Brooklyn, N.Y."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On August 21, 1933, 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.

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

21435. Adulteration of tomato catsup. U. S. v. 48 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30697. Sample no. 41926–A.)

This case involved a shipment of tomato catsup which contained excessive mold.

On July 5, 1933, the United States attorney for the District of Idaho, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 48 cases of tomato catsup at Twin Falls, Idaho, alleging that the article had been shipped in interstate commerce, on or about November 16, 1931, by the Smith Canning Co., from Clearfield, Utah, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Smith Brand Catsup * * * Packed for Smith Canning Company, Clearfield, Utah."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On August 2, 1933, 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.

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

21436. Adulteration of butter. U. S. v. 176 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 30968. Sample no. 47071–A.)

This case involved a shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On August 5, 1933, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 176 tubs of butter at Somerville, Mass., consigned July 26, 1933, alleging that the article had been shipped in interstate commerce by the Clinton Creamery, Clinton, 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.

On August 18, 1933, the Pipestone Produce Co., Somerville, Mass., having appeared as claimant for the property and having admitted the allegations of the libel, 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 $2,000, conditioned that it be reworked, under the supervision of this Department, so that it contain at least 80 percent of butterfat.

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

21437. Adulteration of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 31170. Sample no. 40363–A.)

This case involved a shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.