21441. Adulteration and misbranding of butter. U. S. v. 15 Boxes and 25 Boxes of butter. Default decrees of destruction. (F. & D. nos. 30987, 30988. Sample nos. 42839–A, 42841–A.)

These cases involved two lots of butter, the packages or labels of which failed to bear statements of the quantity of the contents. Samples taken from both lots were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On August 2 and August 4, 1933, the United States attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 25 boxes, each containing thirty 1-pound prints of butter at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about July 31, 1933, by the R–K Creamery, from Atchison, Kans., and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libels that the article was adulterated in that it contained less than 80 percent of butterfat, the standard established by the act of Congress of March 4, 1923.

Misbranding was alleged for the reason that the article failed to bear a plain and conspicuous statement of the net weight.

On September 25, 1933, no claimant having appeared for the property, judgments were entered finding that the allegations of the libels were true, and ordering that the product be destroyed by the United States marshal.

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

21442. Adulteration of crab meat. U. S. v. 97 Cans, et al., of Crab Meat. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 30768, 30769, 30839, 30854, 30923, 30934, 30993. Sample nos. 37590–A, 37594–A, 41857–A, 43437–A, 50051–A, 50052–A, 50115–A, 55360–A.)

These cases involved interstate shipments of crab meat which were found to contain filth .

On July 14, July 22, July 27, and August 11, 1933, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 325 cans of crab meat at Philadelphia, Pa. On July 17, 1933, libels were filed in the District of Maryland against 168 cans of crab meat at Baltimore, Md., and on August 3, 1933, a libel was filed against one barrel of crab meat at New York, N.Y. It was alleged in the libels that the article had been shipped in interstate commerce between July 12 and August 9, 1933, by J. H. Fleming & Co., from Portsmouth, Va., and that it was adulterated in violation of the Food and Drugs Act.

The libels charged that the article was adulterated in that it consisted in whole or in part of a filthy, or filthy and decomposed, animal substance.

No claims or answers were filed in the cases. Between August 5 and September 11, 1933, judgments of condemnation and forfeiture were entered in the various cases, and the product was ordered destroyed by the United States marshal.

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

21443. Misbranding of salad oil. U. S. v. 52 Cases and 40 Cases of Salad Oil. Consent decrees entered providing for release of product under bond. (F. & D. nos. 30379, 30389. Sample nos. 32204–A, 31996–A.)

These cases involved shipments of salad oil labeled to convey the impression that it contained a large proportion of olive oil, and which was found to consist principally of cottonseed oil, with a small amount of olive oil present.

On May 2 and May 4, 1933, the United States attorney for the District of Connecticut, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 92 cases of salad oil, in part at New Haven, Conn., and in part at Waterbury, Conn., alleging that the article had been shipped in interstate commerce, on or about February 24, March 21, and April 21, 1933, by the Wesson Oil & Snowdrift Sales Co., from Bayonne, N.J., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Olivita Brand Olio This can contains a delicious, blended salad oil, composed of eighty-five per cent choice vegetable oil and fifteen per cent pure imported virgin olive oil Olivita Brand * * * Wesson Oil & Snowdrift Sales Co., New York."

It was alleged in the libels that the article was misbranded in that the statement on the label, "Olivita Brand Olio", was false and misleading and