

13587. Misbranding of butter. U. S. v. 300 Cartons of Butter. Product released under bond. Decree of condemnation and forfeiture and judgment for costs entered. (F. & D. No. 18399. I. S. No. 7497-v. S. No. C-4291.)

On February 20, 1924, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 300 cartons of butter, remaining in the original unbroken packages at Shreveport, La., alleging that the article had been shipped by the Southwestern Creamery Co., from Joplin, Mo., on or about February 11, 1924, and transported from the State of Missouri into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Meadow Queen Brand Creamery Butter Manufactured By Southwestern Creamery Company Joplin Missouri 16 Ounces Net" (or "One Pound Net").

Misbranding of the article was alleged in the libel for the reason that the statements "16 Ounces Net" and "One Pound Net," borne on the said cartons, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 4, 1924, the Southwestern Creamery Co., Joplin, Mo., having filed a claim and answer admitting the material allegations of the libel and the product having been theretofore released under a bond executed by said claimant to secure compliance with the terms of the judgment entered upon the final disposition of the case, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the claimant pay the costs of the proceedings.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13588. Adulteration of butter. U. S. v. 205 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20207. I. S. No. 22424-v. S. No. C-4764.)

On June 29, 1925, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 205 tubs of butter, remaining unsold in the original packages at Chicago, Ill., alleging that the article had been shipped by the Pelstring-Erickson Co., from Canby, Minn., June 23, 1925, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, and for the further reason that a valuable constituent of the article to wit, butterfat, had been in part abstracted therefrom.

On July 10, 1925, the Max Malter Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having 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 said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department, so that it contain not less than 80 per cent of butterfat.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13589. Adulteration of butter. U. S. v. 147 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20258. I. S. No. 22454-v. S. No. C-4768.)

On July 1, 1925, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 147 tubs of butter, at Chicago, Ill., alleging that the article had been shipped by the Dallas Creamery Co., from Dallas, Wis., June 23, 1925, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the food and drugs act.