

**13594. Adulteration of butter. U. S. v. 28 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20202. I. S. No. 22426-v. S. No. C-4754.)**

On June 20, 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 28 tubs of butter, remaining unsold in the original packages at Chicago, Ill., alleging that the article had been shipped by the Park Falls Creamery Co., from Park Falls, Wis., June 15, 1925, and transported from the State of Wisconsin 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 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 13, 1925, Peter Fox & Sons 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 good and sufficient bond, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department so as to contain not less than 80 per cent of butterfat.

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

**13595. Adulteration of canned salmon. U. S. v. 16 Cases and 86 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18278. I. S. Nos. 18719-v, 18720-v. S. No. C-4273.)**

On January 30, 1924, the United States attorney for the Western District of Arkansas, 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 16 cases of chum salmon and 86 cases of pink salmon, at Prescott, Ark., alleging that the article had been shipped by Gorman & Co., Seattle, Wash., on or about September 28, 1923, and transported from the State of Washington into the State of Arkansas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Gorman's Chum" (or "Pink") "Salmon Distributed by Gorman And Company, Seattle, U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On May 12, 1925, the Walker Grocery Co., Stamps, Ark., claimant, having consented to the entry of a decree and to the reconditioning of the product under the supervision of this department, judgment of condemnation was entered, and it was ordered by the court that the good portion of the product be delivered to the claimant upon payment of the costs of the proceedings, the execution of a bond in the sum of \$250, in conformity with section 10 of the act, and the destruction of the portion unfit for human consumption.

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

**13596. Misbranding of canned tomatoes. U. S. v. Daniel Foggie Arrington and Richard Irving Arrington (Arrington Bros.). Pleas of guilty. Fine, \$50. (F. & D. No. 19316. I. S. Nos. 798-v, 16502-v.)**

On April 28, 1925, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Daniel Foggie Arrington and Richard Irving Arrington, copartners, trading as Arrington Bros., Montvale, Va., alleging shipment by said defendants, in violation of the food and drugs act as amended, on or about September 29, 1923, from the State of Virginia into the State of South Carolina, and on or about October 20, 1923, from the State of Virginia into the State of North Carolina, of quantities of canned tomatoes which were misbranded. The article was labeled in part: "Smyrna Special Brand Tomatoes Contents 2 Pounds \* \* \* Packed By Arrington Bros. Montvale, Va."