

13643. Adulteration and misbranding of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20303. I. S. No. 7081-x. S. No. E-5434.)

On July 18, 1925, the United States attorney for the Southern District of New York, 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 12 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Western Ohio Creamery Co., Greenville, Ohio, on or about July 10, 1925, and transported from the State of Ohio into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat and containing excessive moisture had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength and had been substituted in whole or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On July 28, 1925, the Western Ohio Creamery Co., Greenville, Ohio, 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 \$400, in conformity with section 10 of the act, conditioned in part that it be reworked so as to contain at least 80 per cent of butterfat.

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

13644. Adulteration and misbranding of butter. U. S. v. 7 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20276. I. S. No. 7078-x. S. No. E-5425.)

On July 10, 1925, the United States attorney for the Southern District of New York, 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 7 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Watson Cooperative Creamery Co., Watson, Minn., on or about July 1, 1925, and transported from the State of Minnesota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat and containing excessive moisture had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength and had been substituted in whole or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On July 20, 1925, the Minnesota Co-Operative Creameries Assoc., Inc., 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 \$250, in conformity with section 10 of the act, conditioned in part that it be reworked under the supervision of this department so as to contain at least 80 per cent of butterfat.

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

13645. Adulteration and misbranding of butter. U. S. v. 34 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20269. I. S. No. 6802-x. S. No. E-5426.)

On July 10, 1925, the United States attorney for the Southern District of New York, 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 34 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the South Branch Creamery Co., from St. James, Minn., on or about July 1, 1925, and transported from the State of Minnesota into the State of New