

16134. Adulteration of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22850. I. S. No. 20528-x. S. No. 937.)

On June 28, 1928, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of 12 tubs of butter, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by the Culpeper Creamery, from Culpeper, Va., June 25, 1928, and transported from the State of Virginia into the District of Columbia, 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 deficient in milk fat had been substituted for butter, which the said article purported to be, for the further reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923, and for the further reason that a valuable constituent of the article had been wholly or in part abstracted.

On July 12, 1928, G. M. Shelor, Culpeper, Va., 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 costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16135. Adulteration of butter. U. S. v. 9 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22908. I. S. No. 21307-x. S. No. 933.)

On June 30, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 tubs of butter, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Land O'Lakes Creameries (Inc.), from Duluth, Minn., and transported from the State of Minnesota into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Land O'Lakes Creameries, Inc. Duluth, Minn."

It was alleged in the libel that the article was adulterated in that a substance low in milk fat had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

On July 18, 1928, the Land O'Lakes Creameries (Inc.), Minneapolis, Minn., having appeared as claimant for the property, 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 costs and the execution of a bond in the sum of \$300, conditioned in part that it should not be sold or disposed of contrary to law, and that it be reconditioned to conform to the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16136. Adulteration of pecans. U. S. v. 10 Sacks of Pecans (In Shell). Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23207. I. S. No. 02870. S. No. 1307.)

On November 22, 1928, 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 seizure and condemnation of 10 sacks of pecans in shell at New York, N. Y., consigned in interstate commerce by the South Georgia Pecan Nut Co., Valdosta, Ga., about February 2, 1928, charging that the article was adulterated in violation of the food and drugs act. The article was labeled in part: "From South Georgia Pecan Nut Co. Valdosta, Georgia, to J. B. Cavagnaro Company 110 Park Place, New York City."

It was alleged in the libel that the article was adulterated in that it consisted in part of shrivelled and empty nuts which had been substituted in part for