

It was alleged in the libel that the article was adulterated in that a product which contained less than 80 per cent by weight of milk fat had been substituted for a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of Congress of March 4, 1923, which the said article purported to be.

Misbranding was alleged for the reason that the statements, borne on the labels, "Butter," "One Pound Net," and "One Pound," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On July 6, 1929, L. K. McDaniels, 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 \$200, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16506. Misbranding of butter. U. S. v. Fifty-five 30-Pound Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23839. I. S. No. 04177. S. No. 2095.)**

On June 27, 1929, 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 55 cases of butter, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by the H. C. Christians Co., from Chicago, Ill., on or about June 17, 1929, and transported from the State of Illinois into the District of Columbia, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Gold Band Creamery Butter \* \* \* 1 Pound Net."

It was alleged in the libel that the article was misbranded in that the statement "1 Pound Net," borne on the label, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On July 6, 1929, the National City Dairy Co., Washington, D. C., 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 \$1,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16507. Adulteration of butter. U. S. v. 82 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23846. I. S. No. 04144. S. No. 1796.)**

On March 13, 1929, 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 82 cases of butter, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Hanford Produce Co., from Sioux City, Iowa (on March 2, 1929), and transported from the State of Iowa into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Wrappers on individual prints) "Cloverbloom \* \* \* Creamery Butter \* \* \* Chicago."

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, or injuriously affect its quality or 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 March 30, 1929, the Armour Co., Chicago, Ill., 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