

at Philadelphia, Pa., consigned by the Meadowlands Creamery Co., Meadowlands, Minn., alleging that the article had been shipped from Meadowlands, Minn., on or about September 18, 1929, and transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been substituted wholly or in part for the said article, and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

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

On October 1, 1929, Wm. M. Lippincott & Co., Philadelphia, Pa., 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 \$520, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16742. Adulteration and misbranding of butter. U. S. v. 7 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24155. I. S. No. 016422. S. No. 2349.)

On September 23, 1929, the United States attorney for the Eastern District of Pennsylvania, 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 7 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Farmers Cooperative Creamery Co., Staples, Minn., alleging that the article had been shipped from Staples, Minn., on or about September 18, 1929, and transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been substituted wholly or in part for the said article, and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

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

On September 27, 1929, C. M. Drake & Co., Philadelphia, Pa., 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 \$500, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16743. Misbranding of butter. U. S. v. Six 30-Pound Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24047. I. S. No. 021079. S. No. 2262.)

On August 23, 1929, the United States attorney for the District of New Jersey, 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 six 30-pound cases of butter at Paterson, N. J., alleging that the article had been transported in interstate commerce from the premises of the C. & P. Butter Printing Co., New York, N. Y., to the premises of M. Klahr, Paterson, N. J., on or about August 19, 1929, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "One Pound Net Weight Valley Farm Print Butter M. Klahr & Co., Distributors, Paterson, New Jersey."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Net Weight One Pound," was false and misleading and deceived and misled the purchaser, and in that it 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 statement "Net Weight One Pound" was incorrect.

On September 9, 1929, M. Klahr, Paterson, N. J., claimant, having admitted the allegations of the libel and having consented to the entry of a decree condemning and forfeiting the product, judgment was entered ordering that the

said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned in part that it be reprinted into full quarter-pound sections, and packed in full 1-pound packages.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16744. Misbranding of butter. U. S. v. Fifteen 32-Pound Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23950. I. S. No. 08747. S. No. 2091.)

On or about July 11, 1929, the United States attorney for the Southern District of Florida, 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 fifteen 32-pound cases of butter, remaining in the original packages at Jacksonville, Fla., alleging that the article had been shipped by the Dublin Creamery, from Dublin, Ga., July 8, (1929), and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the food and drugs act as amended. The wrappers inclosing the article were labeled in part: "1 Lb. Net Weight Cloverbloom Pasteurized Creamery Butter * * * Armour Creameries, General Offices, Chicago, Distributors."

It was alleged in the libel that the article was misbranded in that the statement on the labels, "One Pound," was false and misleading and tended to deceive and mislead the purchaser, since the packages did not contain 1 pound of butter. Misbranding was alleged for the further reason that the article was in package form and did not bear a statement of the quantity of the contents plainly and conspicuously marked on the outside of the package, since the packages were short weight.

On July 24, 1929, Armour & Co., Chicago, Ill., having appeared as claimant for the property and having admitted the allegations of the libel, 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 \$400, conditioned in part that it be reworked so that the packages contain 16 ounces net weight of butter.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16745. Adulteration of butter. U. S. v. 11 Cubes, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24016. I. S. No. 06318. S. No. 2165.)

On or about August 2, 1929, the United States attorney for the Northern District of California, 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 15 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that on July 17, 1929, the article had been shipped by the Hill County Creamery, from Havre, Mont., and transported from the State of Montana into the State of California, 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, and in that a product containing 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, which the article purported to be.

On August 20, 1929, the Hill County Creamery Co., Havre, Mont., 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 \$400, conditioned in part that it be repacked, under the supervision of this department, so that it conform with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16746. Misbranding of butter. U. S. v. 84 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24019. I. S. No. 03716. S. No. 2154.)

On July 23, 1929, the United States attorney for the District of New Jersey, 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 84 cases of butter at Jersey City, N. J., alleging that the