

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed with it so as to reduce or lower or injuriously affect its quality and strength, and had been substituted wholly 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 September 3, 1929, the Great Atlantic & Pacific Tea Co. of America, Detroit, Mich., having entered an appearance in the case and having paid the costs of the proceedings, a decree was entered finding the product adulterated and adjudging that it should be condemned and forfeited. It was further ordered by the court that the product be delivered to the Detroit Creamery Co., upon the execution of a bond in the sum of \$400, conditioned that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16837. Adulteration of dressed poultry. U. S. v. 2 Barrels of Dressed Poultry. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 23979. I. S. No. 021137. S. No. 2219.)

On September 3, 1929, 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 2 barrels of dressed poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by R. S. Buchanan Co. (Inc.), from Perry, Mo., on or about August 17, 1929, and transported from the State of Missouri into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On October 8, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16838. Adulteration and misbranding of butter. U. S. v. 31 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24141. I. S. No. 021249. S. No. 2302.)

On September 10, 1929, 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 31 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Ogema Creamery Co., Ogema, Minn., on or about August 26, 1929, 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.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly 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 September 13, 1929, Herman G. Freiler, Ogema, Minn., 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 deposit of \$100 cash collateral, or the execution of a bond in like amount, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16839. Adulteration and misbranding of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24140. I. S. No. 021752. S. No. 2363.)

On September 24, 1929, 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 11 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Arrow Creamery Co., Hebron, N. Dak., in part on or before September 10, 1929, and in part on or before September 14, 1929, and transported from the State of North Dakota into the State of New York, having been received on or about September 20, 1929, 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 mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly 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 September 27, 1929, the Arrow Creamery Co., Hebron, N. Dak., 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 \$350, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16840. Adulteration and misbranding of butter. U. S. v. 36 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24142. I. S. No. 024376. S. No. 2355.)

On September 25, 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 36 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the American Stores Co., Duluth, Minn., alleging that the article had been shipped from Duluth, Minn., on or about September 16, 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 \$1,440, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16841. Adulteration of canned stringless beans. U. S. v. 696 Cases of Canned Stringless Beans. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24084. I. S. No. 021202. S. No. 2330.)

On September 27, 1929, 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 696 cases of canned stringless beans, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the C. H. Musselman Co., from Biglerville, Pa., on or about August 13, 1929, and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On October 30, 1929, the C. H. Musselman Co., Biglerville, Pa., 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