

Bros. (Inc.), Chicago, Ill., on or about August 16, 1929, and transported from the State of Illinois 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 therewith 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 March 18, 1930, Droste & Snyder (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 costs and the execution of a bond in the sum of \$750, or the deposit of collateral in like amount, conditioned in part that it be reworked and reprocessed so that it comply with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17279. Adulteration of grapefruit. U. S. v. 348 Boxes, et al., of Grapefruit. Default decrees of condemnation, forfeiture, and sale or destruction. (F. & D. Nos. 24684, 24685. I. S. Nos. 022595, 022596, S. Nos. 2901, 2902.)

On February 20, 1930, the United States attorney for the District of Colorado, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 738 boxes of grapefruit, remaining in the original unbroken packages at Denver, Colo., consigned by White & Lawler (Inc.), La Feria, Tex., alleging that the article had been shipped from La Feria, Tex., in part on or about February 10, 1930, and in part on or about February 12, 1930, and transported from the State of Texas into the State of Colorado, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a decomposed vegetable substance. Adulteration was alleged for the further reason that the article consisted in whole or in part of frost-damaged grapefruit that had been substituted in whole or in part for edible grapefruit which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, juice, had been wholly or in part abstracted.

On April 28, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the United States marshal, under the supervision of this department, sell such portion of the fruit as was fit for sale and destroy the remainder.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17280. Adulteration and misbranding of butter. U. S. v. 4 Boxes, et al., of Butter. Default decrees of condemnation and forfeiture. Product delivered to charitable institutions. (F. & D. Nos. 24821, 24822, 24845. I. S. Nos. 027663, 027765, 028001. S. Nos. 3050, 3064, 3081.)

On March 31, April 7, and April 15, 1930, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 8 boxes and 5 cases of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Paul A. Schulze & Co., St. Louis, Mo., in various consignments, on or about March 17, March 24, and April 2, 1930, respectively, and had been transported from the State of Missouri into the State of New York, and charging adulteration and misbranding with respect to a portion thereof, and misbranding with respect to the remainder in violation of the food and drugs act as amended. The article was labeled in part: (Retail package) "Blue Ribbon Creamery Butter * * * David W. Lewis & Company New York * * * One Pound Net."

Adulteration was alleged in the libel filed with respect to 5 cases of the product for the reason 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 with respect to the product in the said 5 cases for the reason that it was offered for sale under the distinctive name of another article. Misbranding was alleged with respect to the remaining 8 boxes of the