

On June 10, 1930, Cohn-Hopkins & Co., San Diego, Calif., having appeared as claimant for the property 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 said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be reconditioned so as to conform to the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17562. Adulteration and misbranding of butter. U. S. v. 14 Tubs, et al., of Butter. Consent decree entered. Product released under bond to be reconditioned. (F. & D. No. 25061. I. S. Nos. 036863, 036864. S. No. 3242.)

Samples of butter from the herein described interstate shipments having been found to contain less than the legal requirement of milk fat, the Secretary of Agriculture reported the facts to the United States attorney for the District of Minnesota.

On June 21, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 38 tubs of butter, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by the Veblen Home Creamery Co., from Veblen, S. Dak., in two lots, on June 3, and June 5, 1930, respectively, and had been transported from the State of South Dakota into the State of Minnesota, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libels 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 June 27, 1930, the two libels having been consolidated into one cause of action and the Minnesota Creamery Co., St. Paul, Minn., claimant, having consented to the forfeiture and condemnation of the product, a decree 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 \$1,200, conditioned in part that it be reworked and brought up to legal standard under the supervision of this department and not sold or disposed of contrary to the law of any State or of the United States or its possessions or territories.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17563. Adulteration of butter. U. S. v. 20 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24890. I. S. No. 037226. S. No. 3213.)

Samples of butter from the herein described interstate shipment having been found to contain less than the legal requirement of milk fat, the Secretary of Agriculture reported the facts to the United States attorney for the Northern District of Illinois.

On or about June 16, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 20 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by J. F. McKinney Manufacturing Co., Columbus, Kans., on May 27, 1930, and had been transported from the State of Kansas into the State of Illinois, 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 substance deficient in butterfat had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article contained less than 80 per cent of butterfat.

On June 19, 1930, Gallagher Bros., Chicago, Ill., 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 good and sufficient bond, conditioned in part that it be reprocessed so that it contain not less than 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*