

United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

17651-17700

[Approved by the Secretary of Agriculture, Washington, D. C., April 13, 1931]

17651. Adulteration and misbranding of chocolate dressing. U. S. v. 14 Dozen Cartons of Chocolate Dressing. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18853. I. S. No. 12711-v. S. No. E-4891.)

Samples of a sirup labeled as chocolate dressing having been found to contain glucose and to be short weight, the Secretary of Agriculture reported the matter to the United States attorney for the District of Columbia.

On July 24, 1924, 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 14 dozen cartons of chocolate dressing at Washington, D. C., alleging that the article was being sold or offered for sale in the original unbroken packages by Edward Zupnik, Washington, D. C., and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Standard Chocolate Dressing Standard Chocolate Co., Baltimore Md., * * * Net Weight Twelve Ounces."

It was alleged in the libel that the article was adulterated in that glucose had been mixed and packed therewith, so as to reduce, lower, and 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 statements, "Chocolate Dressing Net Weight Twelve Ounces," borne on the label, 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, and in that the article was offered for sale under the distinctive name of another article.

On September 27, 1930, no claimant having appeared for the property, judgment of condemnation 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.*

17652. Adulteration and misbranding of butter. U. S. v. 28 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25055. I. S. No. 5861. S. No. 3309.)

Samples of butter from the herein described interstate shipment having been found to contain less than the legal requirement of milk fat, namely, less than 80 per cent of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania. On July 28, 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 28 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Buckman Cooperative Creamery Association, Buckman, Minn., alleging that the article had been shipped from Buckman, Minn., on or about July 25, 1930, and had been transported from the