

On February 10, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 1 barrel of rabbits at Chicago, Ill., alleging that the article had been shipped by the Gifford Farm Club, from South Gifford, Mo., January 29, 1931, and had been transported from the State of Missouri 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 it consisted in part of a decomposed animal substance.

On April 14, 1931, 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.*

18263. Adulteration and misbranding of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26399. I. S. No. 15233. S. No. 3712.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard provided by act of Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On or about November 20, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Whitehall Creamery Association, from Whitehall, Wis., November 5, 1930, and had been transported from the State of Wisconsin into the State of Illinois, 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 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 was deficient in butterfat, in that it contained less than 80 per cent of butterfat.

Misbranding was alleged for the reason that the article was labeled butter, which was false and misleading in that it contained less than 80 per cent of milk fat.

On November 21, 1930, the Land O'Lakes Creameries (Inc.), 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 to be reworked under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18264. Adulteration and misbranding of butter. U. S. v. 20 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26407. I. S. No. 14967. S. No. 3713.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard provided by act of Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On November 25, 1930, the 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 the Farmers Mutual Cooperative Creamery, from Fennimore, Wis., November 18, 1930, and had been transported from the State of Wisconsin into the State of Illinois, 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 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 was deficient in butterfat, in that it contained less than 80 per cent of butterfat.

Misbranding was alleged for the reason that the article was labeled butter, which was false and misleading, since it contained less than 80 per cent of milk fat.

On December 15, 1930, the S. S. Borden Co., 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 to be reworked under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18265. Adulteration and misbranding of canned pumpkin. U. S. v. 39 Cases of Canned Pumpkin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26350. I. S. No. 30911. S. No. 4686.)

Examination of samples of canned pumpkin from the shipment herein described having shown that it contained decomposed material, also that it was falsely branded as to the State in which produced, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.

On May 11, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 39 cases of canned pumpkin, remaining in the original unbroken packages at Trenton, N. J., alleging that the article had been shipped by the Penn's Manor Canning Co., Bristol, Pa., on or about November 3, 1930, to Pennington, N. J., and that it had been reshipped therefrom by the Pennington Canning Co., to Trenton, N. J., where it remained in the original unbroken packages, and that it was adulterated and misbranded in violation of the food and drugs act. The article was labeled in part: (Can) "Stony Brook Brand Pumpkin Pennington Packing Co., Pennington, N. J."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

Misbranding was alleged for the reason that the statement on the label, "Pennington Packing Co., Pennington, N. J.," was false and misleading and deceived and misled the purchaser, since the said statement represented that the article was produced in the State of New Jersey, whereas it was produced in the State of Pennsylvania.

On June 3, 1931, 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.*

18266. Adulteration and misbranding of cultured buttermilk. U. S. v. 8 Kegs of Cultured Buttermilk. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25998. I. S. Nos. 28083, 28084, 28085. S. No. 4260.)

Examination of samples of cultured buttermilk from the shipments herein described having shown that it was condensed soured skim milk, with protein, fat, lactic acid, and total solids below the percentages declared on the labeling, and containing added cornstarch, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On March 9, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of eight kegs of cultured buttermilk, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Hoosier Condensed Milk Co., Bluffton, Ind., alleging that the article had been shipped from Bluffton, Ind., in part on or about January 22, 1931, and in part on or about January 27, 1931, and had been transported from the State of Indiana into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Mfd. for Ronck & Bevis, Ro-Be Cultured Buttermilk, Philadelphia. Protein 12%, Fat 1%, Lactic Acid 6%, Total Solids 30%."

It was alleged in the libel that the article was adulterated in that a substance, to wit, condensed soured skim milk and starch, had been substituted in part for the said article.

Misbranding was alleged for the reason that the statements on the label, "Cultured Buttermilk, Protein 12%, Fat 1%, Lactic Acid 6%, Total Solids