

18405. Adulteration of butter. U. S. v. 78 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26426. I. S. No. 5049. S. No. 4042.)

Samples of butter from the shipment herein described having been found to fall below the standard provided by Congress, since they contained less than 80 per cent of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On or about January 19, 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 78 boxes of butter, remaining in the original unbroken packages at Springfield, Mass., consigned about January 4, 1931, alleging that the article had been shipped by the Equity Union Creameries (Inc.), Aberdeen, S. Dak., and had been transported from the State of South Dakota into the State of Massachusetts, 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 product containing less than 80 per cent by weight of milk fat had been substituted for butter, which the article purported to be, the act of Congress of March 4, 1923, having provided that butter should contain not less than 80 per cent by weight of milk fat.

On February 24, 1931, the Equity Union Creameries (Inc.), Aberdeen, S. Dak., having appeared as claimant for the property and having admitted the allegations of the libel, 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 \$2,000, conditioned in part that it be reworked so that it contain at least 80 per cent of milk fat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18406. Adulteration of canned pimientos. U. S. v. 275 Cases of Pimientos in Glass. Product released under bond to be reconditioned. (F. & D. No. 25481. I. S. No. 13463. S. No. 3740.)

Samples of canned pimientos from the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the District of Minnesota.

On December 15, 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 275 cases of canned pimientos, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by the Pomona Products Co., from Griffin, Ga., on or about September 12, 1930, and had been transported from the State of Georgia into the State of Minnesota, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Jar) "Sunshine Brand Pimientos * * * First Quality Pomona Products Co., Griffin, Ga."

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

On January 31, 1931, the Pomona Products Co., Griffin, Ga., claimant, having consented to the condemnation and forfeiture of the product, a decree was entered ordering that the said product be released to the claimant, or to its duly authorized agent, upon payment of costs and the execution of a bond in the sum of \$1,500, conditioned in part that it be reconditioned under the supervision of this department, and that it should not be sold or disposed of in violation of the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18407. Adulteration and alleged misbranding of canned turnip greens. U. S. v. 290 Cases, et al., of Canned Turnip Greens. Consent decree entered finding product adulterated and ordering its release under bond to be reprocessed. (F. & D. No. 25760. I. S. Nos. 9702, 9703. S. No. 4000.)

Samples of canned turnip greens from the shipment herein described having been found to be decomposed, and a portion thereof having been found to be labeled with unwarranted health claims, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Virginia.

On January 19, 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 438 cases of canned turnip greens, remaining in the original unbroken packages at Lynchburg, Va., alleging that the article had been shipped by the Pomona Products Co., Griffin, Ga., on or about November 29, 1930, and had been transported from the State of Georgia into the State of