

the latter from Rosholt, Wis., and had been transported from the States of Illinois and Wisconsin into the State of Maryland, 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 substituted wholly or in part for the article, and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article; misbranding was alleged with respect to a portion of the article for the further reason that the labeling bore the statement "Butter," which was false and misleading and deceived and misled the purchaser; and with respect to the remainder of the article for the reason that the label bore the statement (on invoice) "Butter," which was false and misleading and deceived and misled the purchaser.

On July 10, 1931 and August 17, 1931, the H. L. Piel Co., Baltimore, Md., having appeared as claimant for the property, judgments of condemnation and forfeiture were 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 bonds totaling \$600, conditioned in part that it should not be sold or disposed of until reworked and brought to 80 per cent of milk fat, so that it conform to the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18793. Adulteration of shrimp in glass. U. S. v. 76 Cases of Shrimp in Glass Jars. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26302. I. S. No. 11843. S. No. 4619.)

Samples of shrimp 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 Southern District of California.

On April 29, 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 67 cases of shrimp in glass jars, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Pelican Lake Oyster & Packing Co., from Houma, La., on or about November 27, 1930, and had been transported from the State of Louisiana into the State of California, and charging adulteration in violation of the food and drugs act. On May 12, 1931, the libel was amended to cover 76 cases of the product. The article was labeled in part: (Jar) "Pellaco Fancy Louisiana Shrimp."

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

On July 21, 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.*

18794. Adulteration and misbranding of butter. U. S. v. 6 Tubs, et al., of Butter. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. No. 27138. I. S. Nos. 15175, 35051. S. No. 4890.)

Examination of samples of butter from the shipments herein described having shown that the tub butter contained less than 80 per cent by weight of milk fat, the standard provided by Congress, and that the print butter was short of the declared weight, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Louisiana.

On or about June 18, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 6 tubs of butter and 255 cases, each containing 32 pounds of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Swift & Co., Oklahoma City, Okla., the former on or about May 30, 1931, and the latter on or about June 6, 1931, and had been transported from the State of Oklahoma into the State of Louisiana, and charging adulteration and misbranding of the tub butter, and misbranding of the print butter in violation of the food and drugs act as amended. The tub butter was labeled in part: "Brookfield Creamery Butter Swift & Company." The print butter was labeled in part: (Carton) "Swift's Premium Quality Brookfield Pasteurized Creamery Butter Quarters 1 Lb. Net Weight, Distributed by Swift & Company."