

**19120. Adulteration of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27827. I. S. No. 44966. S. No. 5424.)**

Examination of butter from the shipment herein described having shown that the samples contained less than 80 per cent by weight of milk fat, the standard provided by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Iowa.

On October 22, 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 10 tubs of butter at Sioux City, Iowa, alleging that the article had been shipped by the Bridgewater Cooperative Creamery, from Bridgewater, S. Dak., on or about October 14, 1931, and had been transported from the State of South Dakota into the State of Iowa, 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 should contain 80 per cent of milk fat as provided by the act of Congress of March 4, 1923.

On October 29, 1931, A. Sjoberg, claimant, having consented to the entry of a decree, judgment of condemnation was entered and it was ordered by the court that the product be released to the said claimant to be reconditioned, under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$350, conditioned in part that it should not be sold or disposed of contrary to the food and drugs act or the laws of any State.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19121. Adulteration of canned salmon. U. S. v. 58 Cases of Medium Red Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26992. I. S. No. 22356. S. No. 5210.)**

Samples of canned salmon from the shipment herein described having been found to be tainted or stale, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.

On September 25, 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 58 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on or about August 13, 1930, by the Iverson Packing Co., from Ketchikan, Alaska, and had been transported in interstate commerce from the Territory of Alaska into the State of Washington, 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 whole or in part of a decomposed animal substance.

On February 9, 1932, no claimant having appeared, 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.*

**19122. Misbranding of grapefruit juice. U. S. v. 100 Cases of Grapefruit Juice. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26414. I. S. No. 20466. S. No. 4727.)**

Samples of grapefruit juice from the shipment herein described having been found to be short weight, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On May 27, 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 100 cases of grapefruit juice, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Florida Fruit Cannery (Inc.), from Frostproof, Fla., on or about February 16, 1931, and had been transported from the State of Florida into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Contents 11 Oz. \* \* \* Florida Fruit Cannery, Inc., \* \* \* Frostproof, Florida."

Misbranding was alleged in the libel for the reason that the statement "Contents 11 Oz." was false and misleading and deceived and misled the purchaser; misbranding was alleged for the further reason that the product was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.