

It was further alleged that the said article was adulterated in that a valuable constituent of the article, to wit, oyster solids, had been in part abstracted. On February 11, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19308. Adulteration of cabbage. U. S. v. 429 Hampers of Cabbage. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27605. I. S. No. 38864. S. No. 5645.)

Arsenic having been found on samples of cabbage taken from the shipment herein described, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On December 23, 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 429 hampers of cabbage, remaining in the original and unbroken packages at Boston, Mass., alleging that the article had been shipped by the American Fruit Growers from Perrine, Fla., on or about December 16, 1931, and had been transported in interstate commerce from the State of Florida 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 it contained an added poisonous or deleterious ingredient, namely, arsenic, which might have rendered it injurious to health.

On December 29, 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.*

19309. Adulteration of butter. U. S. v. 233 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27851. I. S. No. 42702. S. No. 5573.)

Samples of butter from the shipment herein described having been found to contain 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 Southern District of New York.

On December 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 233 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by E. M. Falker (Inc.), Chicago, Ill., on or about November 30, 1931, and had been transported from the State of Illinois into the State of New York, 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, a product which should contain not less than 80 per cent of milk fat as provided by the act of March 4, 1923.

The Fox River Butter Co. (Inc.), New York, N. Y., interposed a claim as agent for the owner, Gustafson Bros., Burlington, Iowa, and admitted the allegations of the libel, consented to the entry of a decree, and agreed that the product be reconditioned so that it contain at least 80 per cent of butterfat. On December 24, 1931, 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 \$6,000, conditioned in part that it be reworked so that it comply with the requirements of the Federal food and drugs act, and all laws, Federal and State.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19310. Adulteration of butter. U. S. v. 24 Tubs of Butter. Consent decree providing for release of product under bond to be reworked. (F. & D. No. 27888. I. S. No. 42443. S. No. 5600.)

Samples of butter from the shipment herein described having been found to contain 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 District of New Jersey.

On December 7, 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 24 tubs of butter at Elizabeth, N. J., alleging that the article had been

shipped by the Conger Cooperative Creamery Association from Conger, Minn., on or about November 28, 1931, and had been transported in interstate commerce from the State of Minnesota into the State of New Jersey, 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, a product which should contain not less than 80 per cent of milk fat as provided by the act of March 4, 1923.

On December 17, 1931, the Conger Cooperative Creamery Association, Conger, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree condemning the product, judgment was entered ordering that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$900, conditioned in part that the said product be reworked so that it contain at least 80 per cent of butterfat, and should not be disposed of until examined and approved by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19311. Adulteration of cabbage. U. S. v. 100 Hampers of Cabbage. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 27375. I. S. No. 37588. S. No. 5575.)

Arsenic having been found on cabbage in the shipment herein described, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On December 14, 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 hampers of cabbage, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped on or about December 3, 1931, from Palmetto, Fla., by J. C. Courtney, and had been transported from the State of Florida into the State of Maryland, 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 contained an added poisonous or deleterious ingredient, to wit, arsenic, which might have rendered it harmful to health.

On December 19, 1931, by consent of the owner, 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.*

19312. Adulteration of cabbage. U. S. v. 428 Hampers of Cabbage. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 27405. I. S. No. 37596. S. No. 5608.)

Arsenic having been found on the cabbage in the shipment herein described, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On December 18, 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 428 hampers of cabbage, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the South Carolina Produce Association, from Legare, S. C., on or about December 12, 1931, and had been transported from the State of South Carolina into the State of Maryland, 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 contained an added poisonous or deleterious ingredient, to wit, arsenic, which might have rendered it harmful to health.

On December 22, 1931, by consent of the owner, 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.*

19313. Misbranding of alfalfa leaf meal. U. S. v. Pecos Valley Alfalfa Mill Co. Plea of guilty. Fine, \$100. (F. & D. No. 26538. I. S. No. 10352.)

Samples of alfalfa meal from the shipment herein described having been found to contain less protein than labeled, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Mexico.

On October 17, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against the Pecos