

19586. Adulteration of dried grapes. U. S. v. 25 Boxes of Dried Grapes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27676. I. S. No. 22890. S. No. 5757.)

This action involved the interstate shipment of a quantity of dried grapes which, upon examination, were found to be in part filthy and insect-infested.

On January 20, 1932, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 25 boxes of the said dried grapes, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about January 7, 1932, by the Rosemel Fruit Co., from San Francisco, Calif., to Seattle, Wash., 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 filthy, decomposed, or putrid vegetable substance.

On March 15, 1932, 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.*

19587. Adulteration of fig paste. U. S. v. 260 Cases of Fig Paste. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27658. I. S. No. 22447. S. No. 5739.)

Samples of fig paste taken from the shipment involved in this action having been found to be partially decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.

On January 14, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 260 cases of the said fig paste, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about October 19, 1931, by Anton Beban, Madera, Calif., to Seattle, Wash., and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Fig Paste Anton Beban Madera, Cal."

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

On March 11, 1932, George Beban, Madera, Calif., claimant, 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 delivered to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned that it should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act, and of all other laws, and further conditioned that the unadulterated portion be separated from the decomposed portion under the supervision of this department, the former released and the latter destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19588. Adulteration of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27837. I. S. No. 5378. S. No. 5801.)

Samples of butter from the shipment involved in this action having been found to contain less than 80 per cent by weight of milk fat, the standard prescribed by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On January 25, 1932, 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 New York, N. Y., alleging that the article had been shipped in interstate commerce by the Winter Cooperative Creamery, Winter, Wis., to New York, N. Y., on or about January 18, 1932, 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.

Hunter Walton & Co., New York, N. Y., interposed a claim for the product, as agent for the Winter Cooperative Creamery Co., Winter, Wis., owner, and admitted the allegations of the libel, consented to the entry of a decree, and