

21636. Adulteration and misbranding of butter. U. S. v. 12 Cubes, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 31073. Sample nos. 44427-A, 44429-A, 44430-A.)

This case involved a shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On August 2, 1933, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 cubes and 11 cases of butter at San Francisco, Calif., alleging that the article had been shipped on or about July 31, 1933, by Fergus County Creamery, from Lewis-town, Mont., and charging adulteration and misbranding in violation of the Food and Drugs Act. The portion of the article contained in cases was labeled in part: (Carton) "Armour's Star Quality * * * Cloverbloom, Full Cream Butter."

It was alleged in the libel that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by the act of March 4, 1923.

Misbranding of the portion of the article contained in cartons was alleged for the reason that it was labeled "Butter", which was false and misleading, since it contained less than 80 percent of milk fat.

On September 14, 1933, Armour & Co., San Francisco, Calif, claimant, having admitted the allegations of the libel and 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 released to the claimant upon payment of costs and the execution of a bond in the sum of \$600, conditioned that it be reworked under the supervision of this Department so as to comply with all laws, State and Federal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21637. Adulteration of crawfish meat. U. S. v. 15 Cans of Crawfish Meat. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31043. Sample no. 37981-A.)

This case involved a shipment of crawfish meat that was found to contain filth.

On September 2, 1933, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 15 cans of crawfish meat at Washington, D.C., alleging that the article had been shipped in interstate commerce on or about August 28, 1933, by the East Coast Fish Market Co., from Miami, Fla., 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 animal substance.

On October 18, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21638. Adulteration of blueberries. U. S. v. 7 Crates of Blueberries. Default decree of forfeiture and destruction. (F. & D. no. 30929. Sample no. 9099-A.)

This case involved an interstate shipment of blueberries that were found to contain maggots.

On August 4, 1933, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of seven crates of blueberries at Boston, Mass., consigned August 3, 1933, from Bucksport, Maine, alleging that the article had been shipped in interstate commerce by Delmont Smith, of Orland, Maine, 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 part of a filthy, decomposed, and putrid vegetable substance.

On August 23, 1933, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*