

22469. Adulteration of butter. U. S. v. 9 Tubs of Packing Stock Butter.
(F. & D. no. 32649. Sample no. 69043-A.)

A sample of butter taken from the shipment involved in this case was found to contain filth.

On March 24, 1934, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine tubs of packing-stock butter at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about March 9, 1934, by Liebermann Produce Co., from Oklahoma City, Okla., 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 filthy, decomposed, or putrid animal substance.

On May 7, 1934, no claimant having appeared for the property, judgment was entered finding the product adulterated and ordering it destroyed by the United States marshal.

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

22470. Adulteration and misbranding of butter. U. S. v. Two Tubs Containing Butter. Default decree of destruction. (F. & D. no. 32650. Sample no. 69014-A.)

A sample of butter taken from the shipment involved in this case was found to contain less than 80 percent of milk fat. The article was not labeled with a statement of the quantity of the contents.

On March 23, 1934, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of two tubs of butter at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about February 22, 1934, by St. Mary's Creamery, from St. Mary's, Kans., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

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 Congress approved March 4, 1923.

Misbranding was alleged for the reason that the article failed to bear a plain and conspicuous statement of the net weight.

On June 27, 1934, no claimant having appeared for the property, judgment was entered finding the product adulterated and misbranded, and ordering that it be destroyed by the United States marshal.

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

22471. Adulteration of butter. U. S. v. 29 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.
(F. & D. no. 32651. Sample no. 66093-A.)

This case involved a shipment of butter that contained less than 80 percent by weight of milk fat.

On February 21, 1934, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 29 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce, on or about February 8, 1934, by the Webster Cooperative Dairy Association, from Webster, Minn., 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 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.

On March 2, 1934, the Webster Cooperative Dairy Association, claimant, having admitted the allegations of the libel and 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 released to the claimant upon payment of costs and the execution of a bond in the sum of \$600, conditioned that it be reworked so that it contain at least 80 percent of milk fat.

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