

**22918. Adulteration and misbranding of butter. U. S. v. 10 Boxes of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32921. Sample no. 55095-A.)**

This case involved a quantity of butter that was deficient in milk fat and which was short weight.

On June 18, 1934, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 boxes of butter which had been delivered to the dock at Seattle, Wash., on or about June 12, 1934, by the Washington Creamery Co., Seattle, Wash., for shipment in interstate commerce to Alaska, and alleging that the article was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled in part: (Carton) "Blue Ribbon Brand Butter One Pound Distributed by Washington Creamery Company, Seattle, Washington"; (print) "4 Oz. Net."

The libel alleged 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 of March 4, 1923.

Misbranding was alleged for the reason that the statements, "Butter", "One Pound", and "4 Oz. Net", borne on the labels, were false and misleading, since the product contained less than 80 percent of milk fat and the packages contained less than the amount declared. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statements were incorrect.

On September 22, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the product was ordered.

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

**22919. Adulteration of butter. U. S. v. 15 Cases and 24 Cases of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32939. Sample nos. 66517-A, 66519-A.)**

This case involved a shipment of butter, samples of which were found to contain mold, portions of insects, rodent hair, and other extraneous matter.

On June 20, 1934, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 39 cases, each containing 32 pounds of butter, at New Orleans, La., alleging that the article had been shipped in interstate commerce, on or about June 9, 1934, by the Fort Worth Poultry & Egg Co., Inc., from Fort Worth, Tex., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Fort Worth, Tex. \* \* \* Springbrook Country Rolls [or "Springbrook Parchment"]."

The product was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On September 5, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the product was ordered.

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

**22920. Adulteration and misbranding of butter. U. S. v. 15 Cases, et al., of Butter. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 82940-A, 82940-B. Sample nos. 66561-A, 66562-A.)**

These cases involved butter, samples of which were found to contain mold, fragments of insects, and other extraneous matter. The product was also short weight.

On June 26, 1934, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 30 cases each containing 30 cartons, and 29 cases each containing 10 cartons of butter, at Baton Rouge, La., alleging that the article had been shipped in interstate commerce, on or about June 15, 1934, by the Brookhaven Creamery Co., from Brookhaven, Miss., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. A portion of the article was labeled in part: (Carton)