

25475. Adulteration and misbranding of buttermilk. U. S. v. 60 Barrels and 10 Half Barrels of Buttermilk. Decree of condemnation. Product released under bond for relabeling. (F. & D. no. 36680. Sample nos. 43824-B, 43825-B.)

This case involved an interstate shipment of buttermilk which contained added coconut oil.

On November 29, 1935, 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 60 barrels and 10 half barrels of alleged buttermilk at Bridgewater, Mass., alleging that the article had been shipped in interstate commerce on or about October 28, 1935, by the Center Milk Products Co., from Middlebury Center, Pa., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Vita Brand Near Solid Buttermilk From Churned Cream * * * Center Milk Products Co., Middlebury Center, Pa."

The article was alleged to be adulterated in that a substance containing coconut oil had been substituted wholly or in part for buttermilk, which the article purported to be.

Misbranding was alleged for the reason that the statement, "Near Solid Buttermilk from Churned Cream", borne on the label, was false and misleading and tended to deceive and mislead the purchaser when applied to a product containing coconut oil; and for the further reason that the article was offered for sale under the distinctive name of another article.

On December 18, 1935, J. A. Knudsen, trading as the Center Milk Products Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it be relabeled to show its true nature.

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

25476. Adulteration of chestnuts. U. S. v. 105 Barrels of Chestnuts. Default decree of condemnation and destruction. (F. & D. no. 36704. Sample no. 34823-B.)

This case involved a shipment of chestnuts which were in part wormy, moldy, and decayed.

On December 4, 1935, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 105 barrels of chestnuts at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about October 31, 1935, by Cuneo Bros., Inc., from New York, N. Y., and charged adulteration and violation of the Food and Drugs Act.

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

On December 28, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

25477. Adulteration of dressed poultry. U. S. v. 6 Barrels of Dressed Poultry. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. no. 36712. Sample no. 55158-B.)

This case involved an interstate shipment of dressed poultry that was in part decomposed and diseased.

On December 6, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of six barrels of dressed poultry at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about November 19, 1935, by Wescott & Winks, from Sumner, Iowa, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Tag) "From Wescott & Winks, Sumner, Ia."

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance, and in that it was the product of diseased animals.

On January 2, 1936, Karsten & Sons, Chicago, Ill., claimants, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that the unfit portion be destroyed.

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