

on or about April 21, 1938, by Barre Mills Cooperative Creamery from West Salem, Wis.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be 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 May 11, 1938, C. H. Weaver & Co., Chicago, claimant, having admitted the allegations of the libel, and having consented to the entry of a decree, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked to the legal standard.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**29063. Adulteration of butter. U. S. v. 16 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 42317. Sample No. 21711-D.)**

This product contained less than 80 percent of milk fat.

On April 6, 1938, 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 16 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about March 24, 1938, by the Fonda Creamery from Fonda, Iowa; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be 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 April 29, 1938, L. J. Ehlert, trading as Fonda Creamery, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked to the legal standard.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**29064. Adulteration of butter. U. S. v. 30 Tubs of Butter. Consent decree of condemnation. Product released under bond. (F. & D. No. 42318. Sample No. 21724-D.)**

This product contained less than 80 percent of milk fat.

On April 14, 1938, 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 30 tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about April 2, 1938, by the Jayhawk Cooperative Creamery Association, from Holton, Kans.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be 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 act of March 4, 1923.

On May 4, 1938, Land O'Lakes Creameries, Inc., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be brought up to the legal standard under the supervision of this Department.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**29065. Adulteration and misbranding of cream soda flavor. U. S. v. 5 Glass Jugs of Cream Soda Flavor. Default decree of condemnation and destruction. (F. & D. No. 41323. Sample No. 56741-C.)**

This product contained about 12 percent of diethylene glycol, a poison.

On January 4, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of five jugs of cream soda flavor at Union City, N. J.; alleging that the article had been shipped in interstate commerce on or about November 29, 1937, by Conron & Co., from New York, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "From Conron & Co., Inc. Manufacturers of Extracts, \* \* \* Etc. \* \* \* Cream Soda Flavor."

It was alleged to be adulterated in that a product containing a glycol, a poison, had been substituted in whole or in part for a food flavor, which it purported