

29871. Adulteration of butter. U. S. v. 14 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 43142. Sample No. 21265-D.)

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

On July 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 14 tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about June 25, 1938, by the Verdigre Creamery Co. from Verdigre, Nebr.; 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 by weight of milk fat, as provided for by the act of March 4, 1923.

On July 15, 1938, the Peter Fox Sons Co., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of this Department.

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

29872. Adulteration of butter. U. S. v. 2 Tubs of Butter. Default decree of condemnation and destruction. (F. & D. No. 44378. Sample No. 49969-B.)

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

On November 5, 1938, 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 two tubs of butter at New Orleans, La.; alleging that the article had been shipped in interstate commerce on or about July 30, 1938, by Fort Worth Poultry & Egg Co. from Fort Worth, Tex.; 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 by weight of milk fat as provided by the act of March 4, 1923.

On December 8, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29873. Adulteration and misbranding of butter. U. S. v. 4 Tubs of Butter. Default decree of condemnation. Product ordered delivered to a welfare organization. (F. & D. No. 43979. Sample No. 26427-D.)

This product contained less than 80 percent of milk fat.

On September 14, 1938, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of four tubs of butter at Scranton, Pa.; alleging that the article had been shipped in interstate commerce on or about August 30, 1938, by Lubbock Poultry & Egg Co. from Lubbock, Tex.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Clear Brook Creamery Butter Wilson & Co."

It 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.

It was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On December 8, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a welfare organization.

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

29874. Adulteration and misbranding of butter. U. S. v. Twenty-eight 32-Pound Cartons of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 44416. Sample No. 42762-D.)

This product contained less than 80 percent of milk fat.

On November 14, 1938, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district