10112. Adulteration of butter. U. S. v. 443 32-Pound Cartons of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17378. Sample No. 4265–H.)

LIBEL FILED: August 13, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about July 7, 1945, by the Davis Cleaver Produce Co., from Quincy, Ill.

PRODUCT: 443 cartons, each containing 32 1-pound prints, of butter at Philadelphia, Pa. This product contained mold.

LABEL, IN PART: (Prints) "Netherland Brand Butter * * * Churned by Davis Cleaver Produce Co. Quincy, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy or decomposed animal substance.

DISPOSITION: August 29, 1945. William H. Oldach, Philadelphia, Pa., claimant, having admitted the allegations contained in the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be converted into refined butter oil, under the supervision of the Food and Drug Administration.

10113. Adulteration of butter. U. S. v. 214 Tubs and 50 Tubs of Butter. Consent decree ordering portion of product released; remainder ordered condemned and released under bond. (F. D. C. Nos. 17373, 18309. Sample Nos. 5771–H, 7432–H.)

LIBELS FILED: July 26, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about July 15 and 18, 1945, by the Clover Creamery Co., from Radford and Roanoke, Va.

PRODUCT: 214 tubs and 50 tubs, each containing approximately 63 pounds, of butter at New York, N. Y. Examination showed that the product contained mold.

LABEL, IN PART: "Butter Distributed by J. R. Kramer, Inc. * * * New York, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, putrid, or decomposed substance; and, Section 402 (b) (2), (portion) a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: December 26, 1945. The libel proceedings having been consolidated, and the Clover Creamery Co., claimant, having admitted the allegations of the libel, judgment was entered ordering that 98 tubs of butter be released to the claimant, and that the remainder be condemned. The condemned goods were ordered released under bond, conditioned that 14 tubs which were low in fat might be reworked to the proper fat content, but that any part that was unfit for human consumption be denatured and disposed of as nonedible grease; that 25 tubs might be converted into butter oil; and that the remainder of 127 tubs be converted into fat for soap making. It was further ordered that the Federal Security Agency supervise the disposition of the condemned goods.

10114. Adulteration of butter. U. S. v. 97 Boxes (6,208 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17371. Sample No. 5775–H.)

LIBEL FILED: August 8, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about July 14, 1945, by the Hygrade Food Products Corporation, Clarksville, Iowa.

PRODUCT: 97 boxes, each containing 64 pounds, of butter at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: August 23, 1945. The Zenith-Godley Co., Inc., 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 the Food and Drug Administration.

10115. Adulteration of butter. U. S. v. 23 70-Pound Cartons of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17370. Sample No. 5778–H.)

LIBEL FILED: August 9, 1945, Southern District of New York.