

28. Adulteration of corn meal. U. S. v. 210 Bags of Corn Meal. Product released under bond to be disposed of for animal feed. (F. D. C. No. 631. Sample No. 66360-D.)

On September 22, 1939, the United States attorney for the Southern District of Florida filed a libel against 210 bags of corn meal at Jacksonville, Fla., alleging that the article had been shipped by the Eelbeck Milling Co. from Omaha, Ga., on or about September 16, 1939; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On October 11, 1939, the Eelbeck Milling Co. having appeared as claimant, judgment of condemnation was entered, and the product was ordered released under bond to be reconditioned under the supervision of this Department, and disposed of for animal feed.

29. Adulteration of corn meal. U. S. v. 21 Bags of Meal (and 3 other seizure actions against corn meal). Default decrees of condemnation and destruction. (F. D. C. Nos. 600 to 603, incl. Sample Nos. 66233-D to 66236-D, incl.)

On September 15, 1939, the United States attorney for the Southern District of Florida filed libels against 143 96-pound bags, 11 48-pound bags, and 14 24-pound bags of corn meal at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about August 31 and September 8, 1939, by Juliette Milling Co. from Juliette, Ga.; and charging that it was adulterated. It was labeled in part: "Juliette Meal," or "Water Mill Meal."

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

On October 7, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

PRETZEL STICKS

30. Misbranding of pretzel sticks. U. S. v. 2,996 Packages of Pretzel Sticks. Consent decree of condemnation. Product released under bond to be repacked and relabeled. (F. D. C. No. 404. Sample Nos. 67531-D, 67532-D.)

This product was short weight, the container was filled to about 60 percent of its capacity, and the net-weight declaration was inconspicuous since it was printed on the top and bottom and did not appear on the main panels.

On August 16, 1939, the United States attorney for the District of New Jersey filed a libel against 2,996 packages of pretzel sticks at Hoboken, N. J., alleging that the article had been shipped in interstate commerce on or about July 18 and 21, 1939, by Hygrade Bakery from Philadelphia, Pa.; and charging that it was misbranded. The article was labeled in part: "Net Weight 1 Lb."

It was alleged to be misbranded in that the statement of weight on the label was false and misleading since it was not correct. It was alleged to be misbranded further in that its container was so filled as to be misleading, in that it was in package form and failed to bear an accurate statement of the quantity of the contents, and in that the statement of weight was not prominently placed on the label with such conspicuousness as to render it likely to be read by the ordinary individual under customary conditions of purchase.

On August 28, 1939, claimants Charles Zeitz and Philip Frank, trading as the Hygrade Bakery, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be repacked and relabeled in compliance with the law.

DAIRY PRODUCTS

BUTTER

Nos. 31 to 52, inclusive, of this publication report the seizure and disposition of butter which contained less than 80 percent of milk fat. (The act of Congress defining butter and providing a standard therefor, which is made applicable to the provisions of this act, requires that butter shall contain not less than 80 percent by weight of milk fat.)

31. Adulteration of butter. U. S. v. 15 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. D. C. No. 348. Sample No. 55629-D.)

On July 15, 1939, the United States attorney for the Northern District of Illinois filed a libel against 15 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about June 20, 1939, by

Farmers Union Cooperative Creamery from Superior, Nebr.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On September 29, 1939, L. D. Schreiber & Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked to contain at least 80 percent of milk fat.

32. Adulteration of butter. U. S. v. 10 Tubs of Butter. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 332. Sample No. 60791-D.)

On July 13, 1939, the United States attorney for the Southern District of New York filed a libel against 10 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 4, 1939, by Fauquier Creamery Co., Marshall, Va. (member Monticello Dairy Corporation), in pool shipment by truck from Culpeper Creamery Co., Culpeper, Va.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On July 26, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

33. Adulteration of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 344. Sample Nos. 55628-D, 55632-D.)

On July 15, 1939, the United States attorney for the Northern District of Illinois filed a libel against 12 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about June 25, 1939, by Granger Farmers Cooperative Creamery from Granger, Minn.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On July 25, 1939, H. O. Christians Co., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked so that it contain at least 80 percent milk fat.

34. Adulteration of butter. U. S. v. 15 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 333. Sample No. 67683-D.)

On July 18, 1939, the United States attorney for the Southern District of New York filed a libel against 15 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 5, 1939, by Glen Ullin Creamery, Glen Ullin, N. Dak.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On August 8, 1939, Fortgang Bros., Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked so that it contain at least 80 percent of milk fat.

35. Adulteration of butter. U. S. v. 18 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 331. Sample No. 67684-D.)

On July 18, 1939, the United States attorney for the Southern District of New York filed a libel against 18 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about June 29, 1939, by Catawba Creamery from Catawba, Wis.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On August 1, 1939, Catawba Creamery, claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked so that it contain at least 80 percent butterfat.

36. Adulteration of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. D. C. No. 395. Sample Nos. 55630-D, 55801-D.)

On July 19, 1939, the United States attorney for the Northern District of Illinois filed a libel against 11 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about June 2, 5, 7, and 9,