

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance. A portion was alleged to be adulterated further in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

The said portion was alleged to be misbranded in that it was labeled "Butter," whereas it contained less than 80 percent by weight of milk fat.

On September 16, 1941, no claimant having appeared for the butter seized at Atlanta, judgment of condemnation was entered and the product was ordered destroyed. On October 2, 1941, no claimant having appeared for the seizure at Indianapolis, judgment was entered ordering that the product be rendered into inedible grease under the supervision of the Food and Drug Administration.

**2348. Adulteration of butter. U. S. v. 35 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be converted into butter oil.** (F. D. C. No. 5290. Sample Nos. 47179-E, 62241-E.)

On July 19, 1941, the United States attorney for the Northern District of Illinois filed a libel against 35 tubs of butter at Chicago, Ill., alleging that the article had been shipped on or about July 8, 1941, by La Belle Creamery Co. from La Belle, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance.

On September 26, 1941, S. Kramme and Peder Kristensen, trading as K. & K. Creamery Co., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for conversion into purified butter oil under the supervision of the Food and Drug Administration.

**2349. Adulteration of butter. U. S. v. 5 Tubs of Butter. Default decree of condemnation and destruction.** (F. D. C. No. 6019. Sample No. 54213-E.)

On October 4, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 5 64-pound tubs of butter at Philadelphia, Pa., alleging that the article had been shipped on or about October 1, 1941, by McCrum's Creamery from Lexington, Va.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed substance.

On October 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2350. Adulteration of butter. U. S. v. 67 Boxes, 42 Boxes, 15 Cases, and 4 Cases of Butter. Decrees of condemnation and destruction or sale.** (F. D. C. Nos. 4998, 5065, 5179, 5873. Sample Nos. 17488-E, 17489-E, 40366-E, 40367-E, 59634-E.)

Between June 11 and September 11, 1941, the United States attorneys for the Southern and the Northern Districts of West Virginia and the Middle District of Pennsylvania filed libels against the following amounts of butter: 57 boxes and 4 cases each containing 32 pounds, and 10 boxes each containing 64 half-pound rolls at Charleston, W. Va.; 40 boxes each containing 32 pounds, 1 box containing 24 pounds, and 1 box containing 22 pounds at Clarksburg, W. Va.; and 15 cases each containing 32 pounds at Harrisburg, Pa., alleging that the article had been shipped within the period from on or about May 28 to on or about September 4, 1941, by the Merchants Creamery Co. from Cincinnati, Ohio; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed substance. It was labeled in part: "Rose [or "Springfield" or "Clover"] Brand Creamery Butter."

On August 30, 1941, no claimant having appeared for the product seized at Harrisburg, judgment of condemnation was entered and it was ordered sold for rendering purposes. The claimant for the butter seized at Clarksburg having consented to immediate destruction of the article and no claimant having appeared for that seized at Charleston, on July 14 and 16 and September 23, 1941, judgments of condemnation were entered and the product was ordered destroyed.

**2351. Adulteration and misbranding of butter. U. S. v. 11 Boxes of Butter. Default decree of condemnation and destruction.** (F. D. C. No. 5872. Sample No. 62424-E.)

This product, in addition to containing mold, was mislabeled because it failed to give the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents.

On August 19, 1941, the United States attorney for the Northern District of Illinois filed a libel against 11 boxes of butter at Chicago, Ill., alleging that the article had been shipped on or about August 9, 1941, by B. Brice Nash