

2656. Adulteration of butter. U. S. v. 24 Cartons of Butter. Default decree of condemnation and destruction. (F. D. C. No. 5720. Sample Nos. 62254-E, 62255-E.)

On or about August 19, 1941, the United States attorney for the Northern District of Illinois filed a libel against 24 30-pound cartons of butter in Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about August 4, 1941, by the Monroe City Creamery from Monroe City, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance. It was labeled in part: "Homade brand Butter."

On November 19, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2657. Adulteration of butter. U. S. v. 44 Cartons, 36 Cartons, and 191 Boxes of Butter. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 5121, 5124, 6170. Sample Nos. 47352-E, 47353-E, 62346-E.)

In addition to containing mold, portions of this product were also deficient in milk fat.

On June 17 and October 3, 1941, the United States attorney for the Northern District of Illinois filed libels against 80 cartons and 191 boxes, each containing 63 pounds, of butter at Chicago, Ill., alleging that the article had been shipped on or about June 2 and September 10, 1941, by W. B. Pruitt Produce Co. from Muskogee, Okla.; and charging that it was adulterated. It was labeled in part: "Creamery Butter," or "Creamery Butter. The Peter Fox Sons Co. Distributors, Chicago, Ill."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance. Portions of the product were alleged to be adulterated further in that a valuable constituent, milk fat, had been in whole or in part omitted therefrom; and in that an article containing less than 80 percent by weight of milk fat had been substituted wholly or in part for butter.

On September 3 and November 12, 1941, the Peter Fox Sons Co., Chicago, Ill., claimant, having admitted the allegations of the libels and the cases covered by the libels filed on June 17 having been consolidated, judgments of condemnation were entered and the product was ordered released under bond, the portion shipped on June 2 to be salvaged for use in the making of soap and the remainder to be converted into refined butter oil under the supervision of the Food and Drug Administration.

2658. Adulteration of butter. U. S. v. 30 Boxes of Butter. Default decree of forfeiture and destruction. (F. D. C. No. 6132. Sample No. 79223-E.)

On October 13, 1941, the United States attorney for the Southern District of Indiana filed a libel against 30 58-pound boxes of butter at Frankfort, Ind., alleging that the article had been shipped in interstate commerce on or about September 27, 1941, by St. Louis Refrigerating & Cold Storage from St. Louis, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance, or was otherwise unfit for food.

On November 14, 1941, no claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

2659. Adulteration and misbranding of butter. U. S. v. 8 Cases, 21 Cases, 19 Cases, and 17 Pounds of Butter. Consent decrees of condemnation and destruction. (F. D. C. Nos. 5091, 5092, 5097. Sample Nos. 42196-E, 42197-E, 64040-E.)

This product was short of the declared weight, in addition to containing mold.

On June 18 and 19, 1941, the United States attorney for the Western District of New York filed libels against 48 30-pound cases and 17 separate pounds of butter at Buffalo, N. Y., alleging that the article had been shipped in interstate commerce on or about June 5, 1941, by Paul A. Schulze Co. from St. Louis, Mo.; and charging that it was adulterated and misbranded. It was labeled in part: (Wrapper on prints) "Net Weight 1 Lb. Peerless Brand Roll Butter Distributed by Hickman, Coward & Wattles, Inc. Buffalo, N. Y." or "1 Pound Net Weight Jersey Brand Creamery Butter—Distributed by I. V. Horn Co. * * * Buffalo, N. Y."

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

It was alleged to be misbranded in that the prints did not contain "Net Weight 1 Lb." as labeled

On November 27, 1941, Paul A. Schulze Co., claimant, having consented to the