

3883. Adulteration of butter. U. S. v. 19 Tubs and 10 Tubs of Butter. Default decree of condemnation, product ordered disposed of for salvage purposes. (F. D. C. Nos. 8051 and 8052. Sample Nos. 16997-F and 16998-F.)

On July 24 and 25, 1942, the United States attorney for the Southern District of New York filed a libel against 29 tubs, each containing 62 pounds, of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 16, 1942, by Davis-Cleaver Produce Co., from Quincy, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance.

On August 14, 1942, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be turned over to the New York City Salvage Committee for war purposes.

3884. Adulteration of butter. U. S. v. 11 Cases of Butter. Default decree of condemnation. Product ordered sold for use in the manufacture of soap. (F. D. C. No. 7869. Sample No. 94104-E.)

On June 19, 1942, the United States attorney for the Eastern District of Illinois filed a libel against 11 cases, each containing 30 pounds, of butter at East St. Louis, Ill., alleging that the article had been transported in interstate commerce on or about June 9, 1942, in a truck of the Hunter Packing Co., from St. Louis, Mo., to the place of business of the Hunter Packing Co., East St. Louis, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance. The article was labeled in part: (Carton) "One Pound Net Weight Hunter Creamery Butter Packed for Hunter Packing Co."; (wrapper) "Distributed By Beatrice Creamery Company."

On July 21, 1942, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed as food but that it be sold for soap grease.

3885. Adulteration of butter. U. S. v. 207 Boxes of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked into butter oil. (F. D. C. No. 7867. Sample No. 86983-E.)

On June 18, 1942, the United States attorney for the Northern District of Illinois filed a libel against 207 63-pound boxes of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about June 6, 1942, by Pruitt Produce Co. from Muskogee, Okla.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, and decomposed substance. The article was labeled in part "Creamery Butter the Peter Fox Sons Co. Distributors."

On August 7, 1942, 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 conditioned that it be reworked into butter oil under the supervision of a representative of the Food and Drug Administration.

3886. Adulteration of butter. U. S. v. 900 Pounds of Tub Butter. Default decree of condemnation and destruction. (F. D. C. No. 7865. Sample No. 80876-E.)

On or about June 20, 1942, the United States attorney for the Southern District of Ohio filed a libel against 900 pounds of tub butter at Cincinnati, Ohio, which had been shipped on or about June 16, 1942, alleging that the article had been shipped by the Napoleon Creamery Co. from Napoleon, Ind.; 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 August 4, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3887. Adulteration of butter. U. S. v. 94 Cartons of Butter (and 4 other seizure actions against butter). Decrees of condemnation. Portion of product ordered destroyed; portion ordered salvaged for war purposes; portion converted into refined butter oil; remainder ordered released under bond to be reworked. (F. D. C. Nos. 7775, 7822, 7910, 7913, 8667. Sample Nos. 82102-E, 83137-E, 87096-E, 98083-E, 98084-E, 24347-F.)

One lot of this product was deficient in milk fat and the remaining lots contained mold.

Between June 9 and October 8, 1942, the United States attorneys for the District of Massachusetts, Southern District of Florida, Northern District of Alabama, Eastern District of Virginia, and the District of Maryland filed libels against 94 cartons of butter at Boston, Mass., 404 cases at Miami, Fla., 83 cartons at Birmingham, Ala., 90 boxes at Norfolk, Va., and 522 cases at Balti-

more, Md., alleging that the article had been shipped in interstate commerce within the period from on or about May 23, 1942, to on or about October 1, 1942, by the Sugar Creek Creamery Co. from Bristol, S. Dak., Louisville, Ky., and Dardanelle, Ark.; and charging that it was adulterated. The article was labeled in part: "Country Roll Creamery Butter Pasteurized Distributors Wilson & Co.," "Clear Brook Creamery Butter," "Daisy Maid Brand Creamery Butter," "Sugar Creek Butter," or "Quality Sweet."

That portion of the product located at Boston, Mass., was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter. The remainder of the article was alleged to be adulterated in that it consisted in whole or in part of a filthy or decomposed substance.

On June 30, 1942, and October 9, 1942, the Sugar Creek Creamery Co., claimant for the lots seized at Boston and Baltimore, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released upon the execution of a bond or the deposit of collateral conditioned that the former be reworked so that it contain 80 percent of milk fat and the latter lot be reprocessed and converted into refined butter oil. On May 29 and June 6 and 8, 1942, no claimant having appeared for the remaining lots, judgments of condemnation were entered and the lots located at Miami and Birmingham were ordered denatured and salvaged for war purposes and the lot located at Norfolk was ordered destroyed.

3888. Adulteration of butter. U. S. v. 25 Cases of Butter (and 3 other seizure actions against butter). Consent decree of condemnation entered for one lot; default decrees of condemnation entered for the remainder. One lot ordered destroyed; remainder ordered sold for commercial purposes. (F. D. C. Nos. 7868, 7870, 7871, 7976. Sample Nos. 94101-E, 94106-E, 6002-F.)

One of these four lots of butter contained excessive mold, one was deficient in milk fat, and in the remaining two lots both conditions were found.

On or about June 19 and July 10, 1942, the United States attorneys for the Eastern District of Missouri, Eastern District of Illinois, and Western District of Tennessee filed libels against 53 32-pound cases and 25 30-pound cases of butter at St. Louis, Mo., 11 30-pound cases of butter at East St. Louis, Ill., and 3 63-pound tubs and 3 68-pound cubes of butter at Memphis, Tenn., alleging that the article had been shipped in interstate commerce within the period from on or about June 9 to on or about June 17, 1942, by Armour & Co. from East St. Louis, Ill., Elk City, Okla., St. Louis and Springfield, Mo.; and charging that it was adulterated. Portions of the article were labeled in part: "Golden-dale Butter," or "Armour's Cloverbloom Butter."

The article in the 3 tubs and 3 cubes at Memphis, Tenn., was alleged to be adulterated in that it consisted in whole or in part of a filthy substance. The 53 cases of the product at St. Louis, Mo., were alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The remaining lots were alleged to be adulterated in that they consisted in whole or in part of filthy substances and in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On July 24, 1942, Armour & Co. having appeared as claimant for the 53 cases seized at St. Louis, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be reworked under the supervision of the Food and Drug Administration. On July 21, August 29, and September 23, 1942, no claimant having appeared for the remaining lots, judgments of condemnation were entered and they were disposed of as follows: 25 cases were ordered sold on condition that they would be used in compliance with the law and were disposed of as tankage; the remaining 2 lots were ordered destroyed and were disposed of, in one instance as tankage, and, in the other, as soap stock.

3889. Adulteration and misbranding of butter. U. S. v. 155 Pounds of Butter (and 10 additional seizure actions against butter). Decrees of condemnation. Portions of product ordered denatured and sold for technical purposes or destroyed; portion ordered delivered to a charitable institution; portion ordered released under bond for reworking. (F. D. C. Nos. 7596, 7774, 7818, 7819, 7860, 7862, 7908, 7912, 7916, 7917, 7977. Sample Nos. 48698-E, 54581-E, 70500-E, 70599-E, 80782-E, 83136-E, 87100-E, 87990-E, 87991-E, 87992-E, 6004-F.)

One lot of this butter was short of the declared weight, one lot was low in milk fat, and the remaining lots contained excessive mold.

Between May 22 and July 10, 1942, the United States attorneys for the Southern District of Ohio, Eastern District of Pennsylvania, Southern District of West