

9465. Adulteration of popcorn. U. S. v. 20 Cases of Popcorn (and 9 other seizure actions against popcorn). Decrees of condemnation. Portion of product ordered released under bond; remainder ordered destroyed or delivered to Federal institutions, for use as animal feed. (F. D. C. Nos. 17145, 17249, 17450, 17582, 17939, 18018, 18019, 18022, 18358, 18746. Sample Nos. 10990-H, 12331-H, 14794-H, 16130-H, 16182-H, 16183-H, 17231-H, 18413-H, 18414-H, 19293-H, 31165-H.)

LABELS FILED: Between August 21 and December 21, 1945, Eastern and Western Districts of Michigan, Eastern District of Wisconsin, District of North Dakota, District of Arizona, Southern District of Iowa, District of New Hampshire, and Western District of Pennsylvania.

ALLEGED SHIPMENT: Between the approximate dates of March 14 and May 4, 1945, by Edward A. Graham and Associates, from Chicago, Ill.

PRODUCT: 1,856 cases, each containing 36 bags, and 23 cases, each containing 30 bags, of popcorn at Traverse City, Grand Rapids, and Jackson, Mich.; Green Bay, Wis.; Grand Forks, N. Dak.; Phoenix, Ariz.; Davenport, Iowa; Nashua, N. H.; and New Castle, Pa.

LABEL, IN PART: "Popcorn Selected Finest Quality Net Wt. When Packed 8 Oz. Riverside Popcorn Sales Chicago, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy and decomposed substance by reason of the presence of rodent excreta, rodent-gnawed kernels, insects, rodent hairs, insect fragments, and moldy kernels.

DISPOSITION: Between October 8, 1945, and January 23, 1946, Philip Porter, Inc., claimant for the New Hampshire lot, having consented to the entry of a decree, and no claimant having appeared for the other lots, judgments of condemnation were entered and a portion of the New Hampshire lot was ordered released under bond for conversion into stock feed. The remainder of the product was ordered destroyed or delivered to Federal institutions, for use as animal feed.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 9466 to 9478; that was below the standard for milk fat content, Nos. 9476 to 9493; and that was short of the declared weight, Nos. 9478 and 9494.

9466. Adulteration of butter. U. S. v. 23 70-Pound Cubes of Butter. Default decree of condemnation and destruction. (F. D. C. No. 18301. Sample No. 26160-H.)

LABEL FILED: On or about August 27, 1945, Northern District of Texas.

ALLEGED SHIPMENT: On or about July 21, 1945, by the Quint County Co-operative, from Mangum, Okla.

PRODUCT: 24 70-pound cubes of butter at Amarillo, Tex.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs, feather barbules, and insect parts; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 16, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9467. Adulteration of butter. U. S. v. 3 Cases, 151 Cases, and 1 Case of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 18453. Sample Nos. 2364-H to 2366-H, incl.)

LABEL FILED: October 17, 1945, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about September 26, 1945, by the Tip-Top Creamery Co., from Vincennes, Ind.

PRODUCT: 155 32-pound cases of butter at Norfolk, Va. Examination showed that the product contained mold.

LABEL, IN PART: "Holland Brand Creamery Butter Distributed by Holland Butter Company, Boston, Mass. Division of Beatrice Creamery Company," or

"Meadow Gold Butter [or "White Rose Farm Rolls Butter"] * * * Distributed by Beatrice Creamery Company."

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

DISPOSITION: November 12, 1945. The Tip-Top Creamery Co., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond to be converted into refined butter oil, under the supervision of the Food and Drug Administration.

9468. Adulteration of butter. U. S. v. 105 Cases of Butter. Default decree of condemnation. Product ordered sold for use in the manufacture of soap. (F. D. C. No. 19197. Sample Nos. 37128-H, 37129-H, 37138-H to 37141-H, incl.)

LIBEL FILED: December 28, 1945, District of Oregon.

ALLEGED SHIPMENT: On or about November 8, 1945, by the Homestead Bakery, from San Francisco, Calif.

PRODUCT: 88 32-pound cases and 17 60-pound cases of butter at Portland, Oreg. Examination showed that the product contained mold.

LABEL, IN PART: "Swift's Brookfield Butter," or "S. S. David Wilmot * * * Butter."

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

DISPOSITION: February 5, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold at public auction, to be used in the manufacture of soap.

9469. Adulteration of butter. U. S. v. 37 Boxes (2,294 pounds) of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 19187. Sample No. 19426-H.)

LIBEL FILED: November 26, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 14, 1945, by the Maynard Cooperative Creamery, from Maynard, Minn.

PRODUCT: 37 62-pound boxes of butter at Philadelphia, Pa.

LABEL, IN PART: "Butter Distributed by C. G. Heyd & Co., Phila. Pa."

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

DISPOSITION: January 25, 1946. C. G. Heyd & Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be denatured and sold for purposes other than human consumption, under the supervision of the Food and Drug Administration.

9470. Adulteration of butter. U. S. v. 42 Cases and 14 Cases of Butter. Decrees of condemnation. Portion of product ordered released under bond; remainder ordered sold to be denatured. (F. D. C. Nos. 18295, 18300. Sample Nos. 13296-H, 13683-H, 13684-H.)

LIBELS FILED: On or about August 18 and 20, 1945, Southern District of West Virginia and Southern District of Ohio.

ALLEGED SHIPMENT: Between the approximate dates of July 12 and August 6, 1945, by the Armour Creameries, from Louisville, Ky.

PRODUCT: 42 cases and 14 cases, each case containing 32 pounds, of butter at Charleston, W. Va., and Cincinnati, Ohio, respectively. Analysis showed that the product contained mold.

LABEL, IN PART: "Armour's Cloverbloom Butter."

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

DISPOSITION: November 14 and 15, 1945. The Armour Creameries Co., claimant for the Charleston lot, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be manufactured into butter oil, under the supervision of the Food and Drug Administration. No claimant having appeared for the remaining lot, judgment of condemnation was entered and the product was ordered sold to be denatured for use other than for human consumption.