

maggot, insect fragments, mites, rodent hairs, and manure fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby where may have become contaminated with filth.

POSITION: October 10, 1947. The Marketing Association of America, Green Bay, Wis., claimant, having consented to the entry of a decree, judgment of information condemnation was entered and the product was ordered released under bond for conversion into a product not used for human food.

59. Adulteration of butter. U. S. v. 11 Cartons (693 pounds) \* \* \*. (F. D. C. No. 26172. Sample No. 8982-K.)

FILED: October 26, 1948, Southern District of New York.

SHIPPED SHIPMENT: On or about October 1, 1948, by Dearmin & Co., from Odon, Ind.

PRODUCT: 11 63-pound cartons of butter at New York, N. Y.

DESCRIPTION OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, putrid, and decomposed substance by reason of its presence of insect filth and rodent hairs and by reason of its having been made from filthy cream.

POSITION: January 11, 1949. Default decree of condemnation. The product was ordered denatured for fat salvage purposes.

60. Adulteration of butter. U. S. v. 599 Cases \* \* \*. (F. D. C. No. 26059. Sample No. 3740-K.)

FILED: September 23, 1948, Eastern District of Virginia.

SHIPPED SHIPMENT: On or about September 2, 1948, by Armour & Co. (Armour Creameries), from Louisville, Ky.

PRODUCT: 599 cases, each containing 60 1-pound prints, of butter at Norfolk, Va.

IN PART: "Armour Cloverbloom Butter."

DESCRIPTION OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance. (Analysis showed that the product contained mold mycelia, insects, insect fragments, and rodent hairs.)

POSITION: December 3, 1948. Armour & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be used for purposes other than for human consumption, under the supervision of the Food and Drug Administration.

Adulteration of butter. U. S. v. 40 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 24150, 24204. Sample Nos. 18828-K, 19036-K.)

FILED: October 3 and 23, 1947, Southern District of West Virginia and Southern District of Ohio.

SHIPPED SHIPMENT: On or about September 18, 1947, by Pickerington Creamery, C., from Pickerington, Ohio, to Charleston, W. Va., and from Ashland, Ky., Pickerington and Columbus, Ohio.

PRODUCT: Butter. 40 cases, each containing 32 1-pound cartons, at Charleston, Va., and 287 pounds, packed in 32-pound cases, at Pickerington and Columbus, Ohio.

IN PART: "Mayflower Brand Creamery Butter."

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**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (It had been manufactured from decomposed cream, as evidenced by the high mold mycelia count.)

**DISPOSITION:** On November 10, 1947, Pickerington Creamery, Inc., 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 disposed of in compliance with the law, under the supervision of the Food and Drug Administration. The product was converted into soap stock.

On November 20, 1947, a default decree of condemnation and destruction was entered with respect to the Pickerington and Columbus lots.

**14562. Adulteration of butter. U. S. v. 7½ Cases \* \* \* (and 1 other seizure action).** (F. D. C. Nos. 23828, 23829. Sample Nos. 83155-H, 83160-H.)

**LIBELS FILED:** August 19 and 26, 1947, Eastern District of Kentucky.

**ALLEGED SHIPMENT:** On or about August 12, 1947, by the Merchants Creamery Co., from Cincinnati, Ohio.

**PRODUCT:** 26½ 32-pound cases and 1 10-pound case of butter at Covington, Ky.

**LABEL, IN PART:** (Retail carton) "One Pound Net Butter distributed by The Hanneken Dairy Co., Covington, Kentucky," or "1 Lb. Net Latonia Springs Dairy Butter Distributed by Summe & Ratermann Co., Inc., Covington, Kentucky"; (wrappers) "Dairy Brand Creamery Butter 4 Oz. Net Manufactured by Merchants Creamery Co., Cincinnati, Ohio."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance since it had been made from decomposed cream, as evidenced by the high mold mycelia count.

**DISPOSITION:** September 15 and 24, 1947. Default decrees of condemnation. The product was ordered sold for fat salvage purposes and for use other than for human consumption.

**14563. Adulteration of butter. U. S. v. 18 Cases \* \* \*. (F. D. C. No. 26057. Sample No. 23821-K.)**

**LIBEL FILED:** September 2, 1948, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about August 14, 1948, by the Fairmont Creamery Co., from Lawton, Okla.

**PRODUCT:** 18 cases, each containing 32 1-pound cartons, of butter in quarter-pound prints at New Orleans, La.

**LABEL, IN PART:** "American Beauty Brand Butter Packed for L. Frank & Co. New Orleans, La."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy animal substance and was made from filthy cream.

**DISPOSITION:** October 7, 1948. Default decree of condemnation and destruction.

**14564. Adulteration of butter. U. S. v. 7 Cases, etc. (F. D. C. No. 26058. Sample Nos. 385-K to 388-K, incl.)**

**LIBEL FILED:** On or about October 9, 1948, Eastern District of South Carolina.

**ALLEGED SHIPMENT:** On or about September 1 and 8, 1948, by Armour Creameries, from Louisville, Ky.

**PRODUCT:** 7 cases, each containing 64 8-ounce patties, and 2½ cases, each containing 32 1-pound cartons, of butter at Columbia, S. C.