

On February 25, 1941, Armour & Co. having admitted that the product was unfit for food purposes and having consented to the entry of a decree, judgment of forfeiture was entered and it was ordered that the product be destroyed under the supervision of the United States marshal by being converted into soap grease.

1728. Adulteration and misbranding of butter. U. S. v. 39 Boxes of Butter. Default decree of condemnation and destruction. (F. D. C. No. 3840. Sample No. 31672-E.)

Examination of this product showed that it was contaminated with filth and that it was also short of the declared weight.

On or about February 7, 1941, the United States attorney for the Northern District of Illinois filed a libel against 39 boxes of butter at Chicago, Ill., alleging that the article had been shipped by Wilson & Co. from Schenectady, N. Y., on January 23, 1941; and charging that it was adulterated and misbranded. It was labeled in part: (Wrappers) "One Pound Net Weight Jes-so country roll. * * * Distributed by Central Markets, Inc. Schenectady, New York."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance. It was alleged to be misbranded in that the statement "One Pound Net Weight" was incorrect; and in that it was in package form and did not bear a label containing an accurate statement of the quantity of the contents.

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

1729. Adulteration and misbranding of butter. U. S. v. 9 Cartons of Butter. Default decree of condemnation and destruction. (F. D. C. No. 4265. Sample No. 24875-E.)

Examination of this product showed that it contained filth and was also deficient in milk fat.

On March 31, 1941, the United States attorney for the Middle District of Pennsylvania filed a libel against 9 cartons of butter at Scranton, Pa., alleging that the article had been shipped in interstate commerce on or about March 15, 1941, by the Merchants Creamery Co. from Cincinnati, Ohio; and charging that it was adulterated and misbranded. It was labeled in part: "Springfield Brand Creamery Butter * * * One Pound Net Weight."

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

It was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On June 16, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 1730 to 1738, inclusive, report the seizure and disposition of butter that contained less than 80 percent of milk fat.

1730. Adulteration of butter. U. S. v. 40 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 4838. Sample No. 62212-E.)

On or about May 16, 1941, the United States attorney for the Northern District of Illinois filed a libel against 40 tubs of butter at Chicago, Ill., alleging that the article had been shipped by Center Milk Products Co. from Maryville, Mo., on or about April 28, 1941; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Creamery Butter The Peter Fox Sons Co. Distributors."

On May 19, 1941, 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 so that it contain not less than 80 percent of milk fat.

1731. Adulteration and misbranding of butter. U. S. v. 15 Boxes of Print Butter. Consent decree of condemnation and destruction. (F. D. C. No. 4205. Sample No. 31683-E.)

This product was short weight as well as deficient in milk fat.

On March 3, 1941, the United States attorney for the Northern District of Illinois filed a libel against 15 boxes of print butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about February 16,

1941, by the Clover Cream Dairy Products Co. from Marshfield, Wis.; and charging that it was adulterated and misbranded. The article was labeled in part: "Creamery Butter Hawthorn Melody Farms Dairy, Highland Park, Illinois."

It was alleged to be adulterated 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 in whole or in part for butter.

The article was alleged to be misbranded in that its labeling was false and misleading in that the statements "1 pound Net Weight" and "One Pound," borne on the label, were incorrect. It was alleged to be misbranded further in that it did not bear a label containing an accurate statement of the quantity of the contents.

On April 9, 1941, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

1732. Adulteration of butter. U. S. v. 7 Tubs of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 4839. Sample No. 62217-E.)

On or about May 16, 1941, the United States attorney for the Northern District of Illinois filed a libel against 7 tubs of butter at Chicago, Ill., alleging that the article had been shipped by the Eastman Creamery Co. from Eastman, Wis., on May 1, 1941; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Creamery Butter The Peter Fox Sons Co. Distributors * * * Net Weight 64 Lbs."

On May 16, 1941, Peter Fox Sons Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

1733. Adulteration and misbranding of butter. U. S. v. 50 Cases of Butter. Consent decree of condemnation. Product ordered released under bond for reurning. (F. D. C. No. 3657. Sample No. 21783-E.)

On December 12, 1940, the United States attorney for the Territory of Hawaii filed a libel against 50 cases, each containing 60 pounds, of butter at Honolulu, T. H., which had been consigned by the Hawaii Meat Co., alleging that the article had been shipped from San Francisco, Calif., on or about December 6, 1940, arriving at Honolulu on December 11, 1940; and charging that it was adulterated and misbranded. It was labeled in part: (Carton) "Blue Bell Brand Butter Distributed by Argonaut Milk Company * * * San Francisco, Calif."

The article was alleged to be adulterated in that it contained less than 80 percent by weight of milk fat. It was alleged to be misbranded in that its label was false and misleading.

On December 12, 1940, the Hawaii Meat Co., Honolulu, T. H., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond with provisions for reshipment to San Francisco for reurning under the supervision of the Food and Drug Administration.

1734. Adulteration and alleged misbranding of butter. U. S. v. 47 Boxes of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 4827. Sample No. 40665-E.)

On May 15, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 47 boxes, each containing 50 pound prints, of butter at Philadelphia, Pa., alleging that the article had been shipped by Pickwick Creamery from Lamoille, Minn., on or about May 6, 1941; and charging that it was adulterated and misbranded.

It was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. It was alleged to be misbranded in that it was labeled "Butter," which labeling was false and misleading since it contained less than 80 percent of milk fat.

On June 3, 1941, Frank Hellerick & Co., Inc., Philadelphia, Pa., having appeared as claimant, judgment was entered finding the product adulterated and ordering its condemnation; and it was ordered further that the product be released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.