

and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; and in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient.

On January 19, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that was contaminated with mold, Nos. 5650 to 5652, incl., and 5666; below the legal standard for milk fat content, Nos. 5653 to 5665, incl., and 5667 to 5669, incl.; short-weight, Nos. 5666 and 5668 to 5670, incl.

5650. Adulteration of butter. U. S. v. 8 Tubs of Butter. Default decree of condemnation. Product ordered delivered to charitable institutions for use in the form of grease. (F. D. C. No. 10978. Sample No. 23821-F.)

Analysis showed that this product was contaminated with mold.

On August 11, 1943, the United States attorney for the Eastern District of Pennsylvania filed a libel against 8 64-pound tubs of butter at Philadelphia, Pa., alleging that the article had been shipped on or about August 5, 1943, by the Blue Ridge Creamery, Inc., from Luray, Va.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed animal substance.

On September 16, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions for use in the form of grease.

5651. Adulteration of butter. U. S. v. 13 Cases and 12 Cases of Butter. Default decree of condemnation and destruction. (F. D. C. No. 11035. Sample Nos. 35470-F, 35471-F.)

This product contained mold.

On October 18, 1943, the United States attorney for the Northern District of Georgia filed a libel against 25 cases of butter at Atlanta, Ga., alleging that the article had been shipped on or about October 7, 1943, by the Borden Company from Nashville, Tenn.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed substance. The article was labeled in part: (Carton) "Morning Glory [or "Blue Ribbon"] Creamery Butter."

On November 17, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. It was denatured and delivered to a commercial firm for fat salvage.

5652. Adulteration of butter. U. S. v. 22 Boxes of Butter. Default decree of condemnation and destruction. (F. D. C. No. 10656. Sample No. 38915-F.)

Analysis showed that this product was contaminated with mold.

On July 31, 1943, the United States attorney for the Northern District of Indiana filed a libel against 22 32-pound boxes of butter at Highland, Ind., alleging that the article had been shipped in interstate commerce on or about July 14, 1943, by the Kankakee Butter Co. from Kankakee, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Carton) "Delicious Fine Creamery Butter."

On November 13, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5653. Adulteration of butter. U. S. v. Harold A. Hamilton (Eldorado Creamery Company). Plea of guilty. Fine, \$200. (F. D. C. No. 10537. Sample Nos. 31964-F, 42136-F.)

On September 15, 1943, the United States attorney for the Southern District of Ohio filed an information against Harold A. Hamilton, trading as the Eldorado Creamery Company, Eldorado, Ohio, alleging shipment within the period from on or about February 10 to May 1, 1943, from the State of Ohio into the State of Indiana of quantities of butter that was adulterated. The article was labeled in part: "Wayne County Farm Bureau Produce Ass'n Distributors Richmond, Indiana Creamery Butter."

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On November 1, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$100 on each of the 2 counts.

5654. Adulteration of butter. U. S. v. 44 Cartons of Butter. Decree of condemnation. Product ordered released upon deposit of cash collateral, conditioned upon reworking. (F. D. C. No. 10895. Sample Nos. 51235-F, 51236-F.)

On September 15, 1943, the United States attorney for the District of Massachusetts filed a libel against 44 cartons, each containing 32 pounds, of butter at Boston, Mass., alleging that the article had been shipped on or about August 28, 1943, by American Dairies, Inc., from Kansas City, Mo.; 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. It was labeled in part: (Wrapper) "Prairie Rose Brand Creamery Butter."

On October 1, 1943, Hilton & Aldrich Company, Boston, Mass., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released upon deposit of cash collateral, conditioned that it be reworked, under the supervision of the Food and Drug Administration, so that it contain at least 80 percent of milk fat.

5655. Adulteration of butter. U. S. v. 15 Boxes and 15 Boxes of Butter. Decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. No. 12787. Sample No. 60434-F.)

On June 6, 1944, the United States attorney for the Northern District of California filed a libel against 30 boxes, each containing 63 pounds, of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about May 18, 1944, by Casperson Products, Inc., from Hutchinson, Kans.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Independent Creamery Co."

On June 15, 1944, O. Casperson & Sons having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.

5656. Adulteration of butter. U. S. v. 11 Boxes and 4 Boxes of Butter. Default decree of forfeiture. Product ordered delivered to charitable institutions. (F. D. C. No. 10771. Sample No. 38920-F.)

On August 6, 1943, the United States attorney for the Northern District of Indiana filed a libel against 11 boxes, each containing 32 pounds, and 4 boxes, each containing 31 pounds, of butter at Gary, Ind., alleging that the articles had been shipped in interstate commerce on or about July 21, 1943, by the Dixie Dairy Co., Harvey, Ill.; 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: "Fancy Sweet Cream Butter * * * Dixie Brand."

On November 13, 1943, no claimant having appeared, judgment of forfeiture was entered and the product was ordered delivered to charitable institutions.

5657. Adulteration of butter. U. S. v. 2 Boxes of Butter. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 10659. Sample No. 56623-F.)

On August 25, 1943, the United States attorney for the Southern District of New York filed a libel against 2 boxes, each containing approximately 62 pounds, of butter at New York, N. Y., alleging that the article had been shipped on or about August 11, 1943, by the Farmville Creamery, Inc., Farmville, Va.; and charging that it was adulterated in that it was deficient in butter fat and contained less than 80 percent by weight of milk fat.

On November 13, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

5658. Adulteration of butter. U. S. v. 310 Cartons (19,840 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 10891. Sample Nos. 38929-F, 38935-F.)

On September 10, 1943, the United States attorney for the Northern District of Illinois filed a libel against 310 cartons of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 11 1943, by