

Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

When examined in the storage room, many of the bags were rodent-gnawed and contained rodent excreta and rodent hairs.

**DISPOSITION:** December 13, 1943. The claimant, H. H. Pike & Co., Inc., admitted the allegations of the libel. A consent decree of condemnation was entered and the product was ordered released under bond for remanufacturing or re-refining under the supervision of the Food and Drug Administration.

## DAIRY PRODUCTS

### BUTTER

The following cases report actions involving butter that was adulterated in that it consisted in whole or in part of a decomposed substance as evidenced by mold, Nos. 5841 to 5843; it was below the standard for milk fat content, Nos. 5844 to 5855; and it was misbranded in that it was short-weight, Nos. 5855 and 5856.

**5841. Adulteration of butter. U. S. v. 29 Cartons of Butter. Default decree of condemnation and destruction.** (F. D. C. No. 11484. Sample No. 51756-F.)

**LIBEL FILED:** December 22, 1943, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about October 4 and 5, 1943, by L. D. Schreiber & Co., Galewood and Chicago, Ill.

**PRODUCT:** 29 cartons, each containing 32 1-pound prints, of butter at Boston Mass. It was contaminated with green mold.

**LABEL, IN PART:** (Wrapper on prints) "Hillside Farm (Unsalted) Creamery Butter."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** January 31, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. Destruction was effected by delivery of the butter to a soap company for rendering purposes.

**5842. Adulteration of butter. U. S. v. 3 Cases of Butter. Default decree of condemnation and destruction.** (F. D. C. No. 10896. Sample No. 53324-F.)

**LIBEL FILED:** September 15, 1943, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about August 16, 1943, by the Potomac Creamery Co., Inc., Hagerstown, Md.

**PRODUCT:** 3 32-pound cases of butter at Quantico, Va.

**LABEL, IN PART:** "Potomac Brand Selected Creamery Butter."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

This product contained mold.

**DISPOSITION:** January 6, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. It was salvaged for industrial use.

**5843. Adulteration of butter. U. S. v. 2 Cases and 25 Cases of Butter. Decrees of condemnation. Part of product ordered released under bond to be reworked into a neutral oil; remainder ordered sold to a soap company.** (F. D. C. Nos. 11268, 11270. Sample Nos. 28075-F, 35234-F.)

**LIBELS FILED:** November 24, 1943, Southern District of Florida, and November 20, 1943, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about November 5 and 15, 1943, from Nashville, Tenn., by the Cudahy Packing Co.

**PRODUCT:** 2 cases, each containing 32 pounds, of butter at Tampa, Fla., and 25 cases, each containing 32 pounds, of butter at Atlanta, Ga.

**LABEL, IN PART:** "Cudahy Sunlight Creamery Butter Country Roll Style," and "Valley Farm Brand Creamery Butter."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy or decomposed substance by reason of the presence of mold.