

presence of fly and other insect fragments, and in that it was made from decomposed cream, as evidenced by a high mold mycelia count.

DISPOSITION: October 27, 1944. French-Bauer Inc., the sole intervenor, having failed to respond or make any defense to the amended libel, judgment of condemnation was entered and the product was ordered disposed of in furtherance of the war effort. It was sold to a chemical plant.

7072. Adulteration of butter. U. S. v. 163 Cases (3,260 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 12778. Sample No. 67781-F.)

LIBEL FILED: June 7, 1944, Southern District of Ohio.

ALLEGED SHIPMENT: On or about May 31, 1944, by Schlosser Bros., Indianapolis, Ind.

PRODUCT: 163 20-pound cases of butter at Columbus, Ohio.

Examination of samples showed that the product contained mold.

LABEL, IN PART: "Silverbrook Creamery Butter * * * The Great Atlantic & Pacific Tea Co. New York, N. Y. Packers."

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

DISPOSITION: June 27, 1944. Schlosser Bros., Inc., claimant, having admitted the allegations in the libel, 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 Federal Security Agency. The product was converted into refined butter oil.

7073. Adulteration of butter. U. S. v. 5 Cases (160 pounds) of Butter. Consent decree of condemnation. Product ordered destroyed. (F. D. C. No. 13572. Sample No. 67100-F.)

LIBEL FILED: July 18, 1944, District of Kansas.

ALLEGED SHIPMENT: On or about June 21, 1944, by Spring Valley Butter Co., Kansas City, Mo.

PRODUCT: 5 32-pound cases of butter at Kansas City, Kans.

Examination of samples showed that the product contained mold.

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

DISPOSITION: August 24, 1944. The owner having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed. Destruction was effected by delivery to a rendering plant, for fat salvage.

7074. Adulteration of butter. U. S. v. 46 Cases (1,472 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13152. Sample No. 68401-F.)

LIBEL FILED: On or about June 21, 1944, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about June 11, 1944, by Sugar Creek Creamery Co., from Louisville, Ky.

PRODUCT: 46 cases, each containing 32 1-pound rolls, of butter at Huntington, W. Va.

LABEL, IN PART: (Wrapper) "Country Roll Creamery Butter Wilson—Co."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product had a high mold mycelia count, which is conclusive evidence of decomposition.

DISPOSITION: July 14, 1944. The Sugar Creek Creamery Co., claimant, having admitted the allegations of 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.

7075. Adulteration of butter. U. S. v. 202 Cases (6,464 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13138. Sample No. 61290-F.)

LIBEL FILED: On or about July 14, 1944, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about June 10, 1944, by Swift & Co., from Conway, Ark.

PRODUCT: 202 cases, each containing 32 1-pound prints, of butter at Biloxi, Miss.

Examination of a sample showed that the product contained mold.

LABEL, IN PART: "Swift's Brookfield Butter."

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

DISPOSITION: August 19, 1944. Swift & 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 converted into refined butter oil, under the supervision of the Food and Drug Administration.

7076. Adulteration and misbranding of butter. U. S. v. 6 Cases (192 pounds) of Butter. Default decree of condemnation. Product ordered delivered to a rendering plant, for fat salvage. (F. D. C. No. 13159. Sample No. 80055-F.)

LIBEL FILED: On or about June 17, 1944, Western District of Missouri.

ALLEGED SHIPMENT: On or about May 25, 1944, by Rogers Creamery Co., from Rogers, Ark.

PRODUCT: 6 32-pound cases of butter at Joplin, Mo.

Examination of samples showed that this product contained mold.

LABEL, IN PART: (Cartons) "One Pound Net Armour's Cloverbloom Butter."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy or decomposed animal substance; and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding, Section 403 (a) and Section 403 (e) (2), the cartons did not contain "One Pound Net," as labeled.

DISPOSITION: July 24, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a rendering plant, for fat salvage.

7077. Adulteration of butter. U. S. v. 164 Cases (5,248 pounds) of Butter. Decree of condemnation. Product ordered released under bond to be converted into refined butter oil. (F. D. C. No. 13139. Sample Nos. 61506-F, 61507-F.)

LIBEL FILED: July 6, 1944, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about June 21, 1944, by Fort Worth Poultry & Egg Co., from Fort Worth, Tex.

PRODUCT: 164 32-pound cases of butter, at New Orleans, La.

Examination of samples showed that the product contained mold and ground up fly parts.

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

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed animal substance; Section 402 (a) (4), it was produced under insanitary conditions whereby it may have become contaminated with filth; and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: July 25, 1944. Fort Worth Poultry & Egg Co., claimant, having admitted the allegations of 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.

7078. Adulteration of butter. U. S. v. American Dairies, Inc. Plea of guilty. Fine of \$100 and costs. (F. D. C. No. 11387. Sample Nos. 51235-F, 51236-F.)

INFORMATION FILED: April 5, 1944, Western District of Missouri, against the American Dairies, Inc., Kansas City, Mo.

ALLEGED SHIPMENT: On or about August 28, 1943, from the State of Missouri into the State of Massachusetts.

LABEL, IN PART: (Wrappers) "Prairie Rose Brand Creamery Butter."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2), a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: July 25, 1944. A plea of guilty having been entered, the defendant was fined \$100 and costs.