

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta.

DISPOSITION: November 3, 1952. The Hart-Bartlett-Sturtevant Grain Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. The product was converted into animal feed.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 19507 to 19511, and that was below the legal standard for milk fat content, No. 19512.

19507. Adulteration of butter. U. S. v. 52 Boxes (3,328 pounds) * * *. (F. D. C. No. 34190. Sample No. 65559-L.)

LIBEL FILED: September 30, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about September 10, 1952, by the Big Stone Creamery Co., from Big Stone City, S. Dak.

PRODUCT: 52 64-pound boxes of butter at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, setae and fly wings, manure fragments, mites, and extraneous material consisting of plant fragments, fibers, wooden splinters, and dirt.

DISPOSITION: February 4, 1953. The Big Stone Creamery Co., claimant, having filed an answer denying that the product was adulterated as alleged in the libel and having withdrawn samples of the seized product pursuant to an order of the court, but having failed to pursue the matter further, judgment was entered and the court ordered that the product be destroyed, unless disposed of by the marshal for rendering purposes.

19508. Adulteration of butter. U. S. v. 20 Cartons, etc. (2,904 pounds, total). (F. D. C. No. 34020. Sample No. 65178-L.)

LIBEL FILED: On or about October 16, 1952, Northern District of Iowa.

ALLEGED SHIPMENT: On or about September 24, 1952, by the Adrian Cooperative Creamery, from Adrian, Minn.

PRODUCT: 44 66-pound cartons of butter at Webster City, Iowa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, manure, and rodent hair fragments, and by reason of the use of filthy cream in its preparation; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 14, 1952. Default decree of condemnation. The court ordered that the product be sold on the condition that it be denatured or otherwise reprocessed into animal feed or soap grease, or, in the event the product could not be sold, that it be delivered to a charitable institution under the same conditions as provided for in the sale of the product.