

that the article had been shipped in interstate commerce on or about July 26 and August 2, 1940, by the Merchants Creamery from Cincinnati, Ohio; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed substance. It was labeled in part: (Wrapper) "Goldendale Butter, Armour Creameries-Distributors-Gen'l Office Chicago Ill."

On October 18, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

721. Adulteration of butter. U. S. v. 43 Cubes of Butter. Default decree of condemnation and destruction. (F. D. C. No. 2731. Sample No. 27049-E.)

On August 6, 1940, the United States attorney for the Southern District of Indiana filed a libel against 43 cubes of butter at Indianapolis, Ind., alleging that the article had been shipped in interstate commerce on or about July 29, 1940, by the Patton Creamery Co. from Springfield, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance or was otherwise unfit for food.

On October 7, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

722. Adulteration of butter. U. S. v. 64 Tubs of Butter. Default decree of condemnation. Product ordered destroyed. (F. D. C. No. 3077. Sample No. 34143-E.)

On September 17, 1940, the United States attorney for the Southern District of New York filed a libel against 64 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about September 9, 1940, by the South Mountain Creamery from Middletown, Md.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance.

On October 8, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

723. Adulteration and alleged misbranding of butter. U. S. v. 73 Cases of Butter. Default decree of condemnation and destruction. (F. D. C. No. 2627. Sample No. 15475-E.)

On July 30, 1940, the United States attorney for the Western District of Tennessee filed a libel against 73 cases of butter at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about July 12 and July 19, 1940, by the Sugar Creek Creamery Co. from St. Louis, Mo.; and charging that it was adulterated and misbranded. Both shipments were labeled in part: "Diamond Springs Quality Butter." One shipment was labeled further: "Churned by Crown Butter Company, Danville, Illinois"; and the other shipment was labeled further: "Distributed by Sugar Creek Creamery Co. Danville, Ill."

The article was alleged to be adulterated in that it consisted in whole or in part of a putrid or decomposed substance rendering it unfit for food. It was alleged to be adulterated further 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 the statement on the label, "Butter," was false and misleading.

On September 4, 1940, no claimant having appeared, judgment was entered finding the product adulterated in that it consisted in whole or in part of a putrid and decomposed substance, and the court ordered that it be condemned and destroyed.

724. Adulteration of butter. U. S. v. 15 Boxes of Butter. Default decree of condemnation and destruction. (F. D. C. No. 2666. Sample No. 36072-E.)

On August 16, 1940, the United States attorney for the District of Massachusetts filed a libel against 15 boxes of butter at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about August 10, 1940, by the Wadley Co. from Indianapolis, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed substance. It was labeled in part: (Wrapper) "Willow Brook Brand Creamery Butter Distributed by The Wadley Company."

On September 16, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

725. Adulteration of butter. U. S. v. 220 Cases of Butter. Default decree of condemnation and destruction. (F. D. C. No. 2660. Sample No. 15476-E.)

On August 1, 1940, the United States attorney for the Western District of Tennessee filed a libel against 220 cases of butter at Memphis, Tenn., alleging

that the article had been shipped in interstate commerce within the period from on or about July 5 to on or about July 11, 1940, by the Yorkshire Creamery Co. from Bruce, Miss.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed animal substance which rendered it unfit for food.

On September 11, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

726. Adulteration and misbranding of butter. U. S. v. 3 Cartons and 29½ Boxes of Butter. Decrees of condemnation. Portion of product ordered destroyed; remainder ordered released under bond. (F. D. C. Nos. 3013, 3031. Sample Nos. 2682-E, 33377-E.)

Samples taken from one shipment of this product were found to contain mold and those taken from the other were found to be deficient in milk fat.

On or about September 5 and September 9, 1940, the United States attorneys for the District of Massachusetts and the District of Connecticut filed libels against 3 cartons of butter at Worcester, Mass., and 29½ boxes of butter at New Haven, Conn., alleging that the article had been shipped in interstate commerce by the Cudahy Packing Co. from Sioux City, Iowa, on or about August 14 and August 30, 1940; and charging that it was adulterated and that one shipment was also misbranded. The article was labeled in part: "Daisy Maid Brand Creamery Butter" or "Daisy Butter."

The lot seized at Worcester, Mass., was alleged to be adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance.

The lot seized at New Haven, Conn., 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 also was alleged to be misbranded in that the statement on the label "Butter" was false and misleading.

On September 30, 1940, no claimant having appeared for the lot seized at Worcester, Mass., judgment of condemnation was entered and the said lot was ordered destroyed. On September 23, 1940, the Cudahy Packing Co., having appeared as claimant for the butter seized at New Haven, Conn., and having admitted the allegations of the libel, judgment of condemnation was entered and the product seized in that district was ordered released under bond conditioned that it be brought into compliance with the law.

727. Adulteration of packing stock butter. U. S. v. 1 Drum of Packing Stock Butter. Default decree of condemnation and destruction. (F. D. C. No. 2680. Sample No. 28438-E.)

Samples of this product were found to contain various types of filth such as maggots, cow hairs, rodent hairs, insects, fragments of insects, and nondescript dirt.

On August 22, 1940, the United States attorney for the District of Maryland filed a libel against 1 drum of butter at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about August 13, 1940, by J. W. Bell from Shelby, N. C.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance and was otherwise unfit for food.

On October 3, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

728. Adulteration and misbranding of butter. U. S. v. 28, 117, and 62 Pounds of Creamery Butter. Default decree of condemnation and destruction. (F. D. C. No. 1738. Sample Nos. 4231-E, 4232-E, 4233-E.)

This product was short weight and one lot was deficient in milk fat.

On March 26, 1940, the United States attorney for the Northern District of Indiana filed a libel against 207 pounds of creamery butter at Hammond, Ind., alleging that the article had been shipped in interstate commerce on or about March 8 and 15, 1940, by Byrnes & Schuhmann, Inc., from Chicago, Ill., to Byrnes & Schuhmann, Inc., at Hammond, Ind.; and charging that it was misbranded and that one lot was also adulterated. It was labeled in part: "Murphy Brand Butter * * * Distributed by Murphy Butter & Egg Co. Chicago, Ill."; or "Sweet Clover Creamery Butter * * * Murphy Butter & Egg Co. Chicago, Illinois."

One lot (20 pounds) was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted or abstracted from the article and in that a substance containing less than 80 percent by weight of milk fat had been substituted wholly or in part for butter.