

On July 31, 1940, the United States attorney for the Northern District of Georgia filed a libel against 125 pounds of butter at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about July 27, 1940, by the A. T. Daugherty Produce Co. from Athens, Tenn.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

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

1094. Adulteration of packing-stock butter. U. S. v. 2 Drums of Packing-Stock Butter. Default decree of condemnation and destruction. (F. D. C. No. 2583. Sample No. 28433-E.)

Samples of this product were found to contain various types of filth such as maggots, flies, ants, rodent hairs, fragments of insects, mold, and other extraneous matter.

On July 31, 1940, the United States attorney for the District of Maryland filed a libel against two drums of packing-stock butter at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about July 29, 1940, from Hiddenite, N. C., by truck owned by B. M. Miller and operated by Roy D. Hines; 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 September 11, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1095. Adulteration of packing-stock butter. U. S. v. 2,000 Pounds and 5 Drums (1,800 Pounds) of Butter. Default decrees of condemnation and destruction. (F. D. C. Nos. 2578, 2579. Sample Nos. 20119-E, 20812-E.)

This product contained rodent hairs, fragments of rodent excreta, and insect fragments and larvae.

On July 29 and 31, 1940, the United States attorney for the Northern District of Georgia filed libels against 3,800 pounds of packing-stock butter in Atlanta, Ga., alleging that the article had been shipped in interstate commerce within the period from on or about July 23 to on or about July 27, 1940, by Rosemary Creamery, Inc., from various points in the States of Alabama and North Carolina; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On September 7, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1096. Misbranding of butter. U. S. v. 13 Cases of Butter. Decree of condemnation. Product released under bond. (F. D. C. No. 2141. Sample No. 12254-D.)

This product was short weight.

On May 15, 1940, the United States attorney for the Northern District of California filed a libel against 13 cases of butter at Sacramento, Calif., alleging that the article had been shipped in interstate commerce on or about May 9, 1940, by Minden Butter Co. from Minden, Nev., and charging that it was misbranded. The article was labeled in part: "Windmill Brand Butter One Pound Net."

It was alleged to be misbranded in that it was labeled "One Pound Net," which was false and misleading since the package contained less than that amount. It was alleged to be misbranded further in that it was a food in package form and did not bear an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count.

On June 4, 1940, the Minden Butter Manufacturing Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked so that it contain at least 80 percent by weight of milk fat.

CHEESE

1097. Misbranding of grated cheese. U. S. v. 70 Cases of Grated Cheese. Consent decree entered. Product released under bond. Contents condemned and ordered destroyed. (F. D. C. No. 1687. Sample No. 98687-D.)

The packages containing this product were filled to only about 71 percent of their capacity.

On March 23, 1940, the United States attorney for the Eastern District of New York filed a libel against 79 cases of grated cheese at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about February 13, 1940, by the Stella Cheese Co. from Campbellsport, Wis.; and