

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been held under insanitary conditions whereby it might have become contaminated with filth.

On August 19, 1940, Pop Corn Growers & Distributors, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reconditioned by the removal of all unfit material and filth.

1235. Adulteration of rice. U. S. v. 159 Bags of Rice. Default decree of condemnation and destruction. (F. D. C. No. 2726. Sample No. 9975-E.)

This product was moldy because of damage by water in transit.

On August 31, 1940, the United States attorney for the Eastern District of Louisiana filed a libel (amended on September 27, 1940) against 159 bags of rice at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about August 16, 1940, by the Pan American Steamship Co. from Tampa, Fla.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Supreme Brand Extra Fancy River Head Rice."

On December 20, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1236. Misbranding of chicken tamales. U. S. v. 7 Cases and 13 Cases of Chicken Tamales. Default decrees of condemnation. Product ordered delivered to a charitable institution. (F. D. C. Nos. 1953, 1954. Sample Nos. 13160-E, 13165-E.)

This product was short weight.

On May 11, 1940, the United States attorney for the Eastern District of Washington filed libels against 20 cases of chicken tamales at Walla Walla, Wash., alleging that the article had been shipped in interstate commerce on or about September 27, 1939, and March 6, 1940, by Stidd's, Inc., from Portland, Oreg.; and charging that it was misbranded in that the statement, "Net contents 10 oz. avoirdupois," was false and misleading since it was incorrect, and in that it was in package form and did not bear an accurate statement of the quantity of the contents. It was labeled in part: "Stidd's Chicken in the Husk Boneless Tamales, Net contents 10 oz. avoirdupois."

On June 29, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered delivered to charitable institutions after removal of the labels.

DAIRY PRODUCTS

BUTTER

1237. Adulteration of butter. U. S. v. Harry G. Kurrasch (Clinton Creamery). Plea of guilty. Fine, \$60. (F. D. C. No. 2849. Sample No. 33315-E.)

On November 22, 1940, the United States attorney for the District of Minnesota filed an information against Harry G. Kurrasch, trading as Clinton Creamery Co., at Clinton, Minn., alleging shipment on or about June 4, 1940, from the State of Minnesota into the State of New York, of a quantity of butter that was adulterated. The article was labeled in part: "Butter Distributed By J. R. Kramer, Inc. New York."

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On November 22, 1940, a plea of guilty was entered by the defendant and the court imposed a fine of \$60.

1238. Adulteration and misbranding of butter. U. S. v. Producers Dairy Marketing Association, Inc. Plea of guilty. Fine, \$25. (F. D. C. No. 2862. Samples Nos. 27248-E, 27249-E.)

On November 7, 1940, the United States attorney for the Southern District of Indiana filed an information against the Producers Dairy Marketing Association, Inc., Orleans, Ind., alleging shipment on or about June 18, 1940, from the State of Indiana into the State of Kentucky, of quantities of butter that was adulterated and a part of which was misbranded. The article was labeled in part: "One Pound Net Good-Ness Brand Creamery Butter"; or "Mellwood Dairy Incorporated * * * Butter."

It was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

The Good-Ness brand was alleged to be misbranded in that the statement "One Pound Net," borne on the carton, was false and misleading since the cartons contained a smaller amount. This brand was alleged to be misbranded further in that it was in package form and did not bear an accurate statement of the quantity of the contents in terms of weight.

On November 30, 1940, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$25.

1239. Adulteration of butter. U. S. v. Saline County Milk Producers Association. Plea of guilty. Fine, \$5. (F. D. C. No. 2872. Sample Nos. 4887-E, 30522-E, 30527-E.)

On November 29, 1940, the United States attorney for the Western District of Missouri filed an information against the Saline County Milk Producers Association, a corporation, Marshall, Mo., alleging shipment on or about May 4, 1940, from the State of Missouri into the State of Illinois, of a quantity of butter that was adulterated. The article was labeled in part: "Creamery Butter S. S. Borden Co. Chicago Distributor."

It was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On December 19, 1940, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$5.

Nos. 1240 to 1253, inclusive, of this publication report seizure and disposition of butter which contained less than 80 percent of milk fat.

1240. Misbranding and alleged adulteration of butter. U. S. v. 20 Cases of Creamery Butter. Default decree of condemnation. Product ordered distributed to charitable institutions. (F. D. C. No. 2206. Sample Nos. 15109-E, 15112-E.)

On June 3, 1940, the United States attorney for the Western District of Tennessee filed a libel against 20 cases of creamery butter at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about May 13, 1940, by the Carthage Creamery Co. from Carthage, Mo.; and charging that it was adulterated and misbranded. It was labeled in part: "Sunlight Creamery Butter * * * The Cudahy Packing Company, Chicago, Ill., Distributors."

The article 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 was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On June 27, 1940, no claimant having appeared, judgment was entered finding the product misbranded and ordering that it be condemned but providing that it might be distributed to charitable institutions for use of such institutions.

1241. Adulteration and misbranding of butter. U. S. v. 26 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. D. C. No. 3035. Sample No. 36098-E.)

On September 10, 1940, the United States attorney for the District of Massachusetts filed a libel against 26 tubs of butter at Somerville, Mass., alleging that the article had been shipped in interstate commerce on or about September 1, 1940, by the Farmers Cooperative Creamery Association from Hull, Iowa; and charging that it was adulterated and misbranded.

The article 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 was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On September 19, 1940, the Pipestone Produce Co., Somerville, Mass., 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.

1242. Adulteration of butter. U. S. v. 30 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 2274. Sample No. 30501-E.)

On June 6, 1940, the United States attorney for the Northern District of Illinois filed a libel against 30 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 9, 1940, by Fuller, Rodney & Co., from Omaha, Nebr.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had