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3242. Misbranding of alfalfa leaf meal. U. S. v. 237 Sacks of Alfalfa Leaf Meal. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 6869. Sample No. 4666-D.)

Examination showed that this product contained less protein and more fiber and ash than the amounts declared on the label.

On February 14, 1942, the United States attorney for the Western District of Wisconsin filed a libel against 237 100-pound sacks of alfalfa leaf meal at Blair, Wis., alleging that the article had been shipped in interstate commerce on or about December 1, 1941, by Northrup, King Co. from Minneapolis, Minn.; and charging that it was misbranded. It was labeled in part: (Tag) "Peevee Alfalfa Leaf Meal * * * Made By Pecos Valley Alfalfa Mill Co. Chandler, Arizona."

The article was alleged to be misbranded in that the statement "Protein . . . 20% * * * Fibre . . . 18% * * * Ash, not more than . . . 12%" was false and misleading as applied to an article that contained less protein and more fiber and ash than was stated in the labeling.

On March 24, 1942, Pecos Valley Alfalfa Milling Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

DAIRY PRODUCTS

BUTTER

Nos. 3243 to 3248 report the seizure and disposition of butter that contained mold.

3243. Adulteration of butter. U. S. v. 17 Boxes and 3 Tubs of Butter. Default decree of condemnation and destruction. (F. D. C. No. 6381. Sample Nos. 54160-E, 54161-E.)

On November 22, 1941, the United States attorney for the Middle District of Pennsylvania filed a libel against 17 30-pound boxes and 3 63-pound tubs of butter at Wilkes-Barre, Pa., alleging that the article had been shipped in interstate commerce on or about November 6, 1941, by the Beatrice Creamery Co. from Galesburg, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed animal substance. A portion of the article was labeled in part: (Rolls in 17 boxes) "Red Clover Brand Butter, 1 lb. Net Roll." The tubs were unlabeled.

On April 8, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. Subsequently the butter was sold by the United States marshal for rendering purposes.

3244. Adulteration of butter. U. S. v. 72 Cubes and 33 Cubes of Butter. Consent decree of condemnation. Product ordered released under bond to be reconditioned. (F. D. C. No. 6967. Sample No. 23884-E.)

On March 4, 1942, the United States attorney for the Northern District of California filed a libel against 105 cubes, each containing 68 pounds, of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about June 9, 1941, by Farmers Equity Co-op Creamery from Denver, Colo.; 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 March 4, 1942, 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 reconditioned. Subsequently the butter was disposed of for use in the manufacture of soap.

3245. Adulteration of butter. U. S. v. 88 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be converted into soap stock. (F. D. C. No. 5861. Sample No. 56960-E.)

On September 10, 1941, the United States attorney for the Southern District of New York filed a libel against 88 63-pound tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about September 1, 1941, by Roanoke Dairy & Ice Cream Co., Inc., from Roanoke Va.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance.

On October 9, 1941, Roanoke Dairy & Ice Cream Co., Inc., 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 rendered immediately or denatured into soap stock under the supervision of the Food and Drug Administration.

3246. Adulteration of butter. U. S. v. 200 Cases of Butter. Consent decree of condemnation. Product ordered released under bond to be converted into refined butter oil. (F. D. C. No. 7102. Sample No. 87853-E.)

On March 10, 1942, the United States attorney for the District of Maryland filed a libel against 200 cases containing a total of 6,385 pounds of butter at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about March 3, 1942, by the Wm. Schluderberg-T. J. Kurdle Co. from Baltimore, Md., to the Commissary, Fort Eustis, Va., and that subsequently it had been returned; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed animal substance. A portion of the article was labeled in part: (Cartons) "Esskay Quality Food Products"; (wrappers) "Meramec Farms Brand Country Style Butter."

On March 27, 1942, Sugar Creek Creamery Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be converted into refined butter oil under the supervision of the Food and Drug Administration.

3247. Adulteration of butter. U. S. v. 117 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond to be converted into refined butter oil. (F. D. C. No. 7101. Sample No. 1031-E.)

On March 10, 1942, the United States attorney for the District of Maryland filed a libel against 117 cartons containing a total of 3,725 pounds of butter at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about January 10, 1942, by Sugar Creek Creamery Co. from Louisville, Ky.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed animal substance. The article was labeled in part: (Wrappers) "Meramec Farms Brand Country Style Butter."

On March 10, 1942, Sugar Creek Creamery Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be converted into refined butter oil under the supervision of the Food and Drug Administration.

3248. Adulteration of butter. U. S. v. 40 Tubs of Butter. Default decree of condemnation and destruction. Decree amended to permit manufacturing product into butter oil. (F. D. C. No. 5718. Sample No. 57703-E.)

Samples of this product were found to be decomposed and other samples were found to be deficient in milk fat.

On or about August 18, 1941, the United States attorney for the Western District of Arkansas filed a libel against 40 tubs of butter at Fort Smith, Ark., alleging that the article had been shipped in interstate commerce on or about June 1 and 16 and July 7, 1941, by Tahlequah Ice, Ice Cream & Bottling Co. from Tahlequah, Okla.; and charging that it was adulterated. It was labeled in part: "Creamery Butter The Peter Fox Sons Co. Distributors Chicago Ill."

A portion was alleged to be adulterated in that it consisted wholly or in part of a filthy, putrid, and decomposed substance. The remainder was alleged to be adulterated in that a valuable constituent, milk fat, had been in whole or in part omitted or abstracted therefrom.

On February 13, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On February 20, 1942, on petition of the Tahlequah Ice, Ice Cream & Bottling Co., an order was entered amending the decree to permit release of the product under bond for reprocessing and reconditioning under the supervision of the Food and Drug Administration. The product was converted into butter oil.

Nos. 3249 to 3257 report actions based on interstate shipments of butter that was deficient in milk fat.

3249. Adulteration of butter. U. S. v. Axel E. Borglum, John A. Knudsen, and Edwin Knudsen (Center Milk Products Co.). Plea of guilty. Fine, \$100 and costs. (F. D. C. No. 5551. Sample No. 62212-E.)

On December 31, 1941, the United States attorney for the Western District of Missouri filed an information against Axel E. Borglum, John A. Knudsen, and Edwin Knudsen, copartners trading as Center Milk Products Co., Maryville, Mo., alleging shipment in interstate commerce on or about April 28, 1941,