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. avoir.," 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. avoir."

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.