The butter seized at Jacksonville and Nashville was alleged to be adulterated in that it consisted in whole or in part of a filthy or decomposed substance. The portion of the product seized at Chicago was alleged to be adulterated in that a valuable constituent, milk fat, had been in whole or in part omitted or abstracted therefrom; and in that an article containing less than 80 percent by weight of milk fat had been substituted wholly or in part for butter.

A portion of the article was alleged to be misbranded in that it was labeled "Butter," which was false and misleading.

On August 14, 1941, the Cudahy Packing Co., claimant for the product seized at Chicago, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration. On September 11 and 18, 1941, no claimant having appeared for the product seized at Jacksonville and Memphis, judgments of condemnation were entered and the product was ordered destroyed.

2344. Adulteration of butter. U. S. v. 16 Tubs of Butter. Default decree of condemnation and destruction. (F. D. C. No. 5132. Sample No. 62233–E.)

On June 18, 1941, the United States attorney for the Northern District of Illinois filed a libel against 16 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 29, 1941, by El Reno Poultry & Egg Co. from El Reno, Okla.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance.

On August 25, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2345. Adulteration of butter. U. S. v. 25 Prints of Butter. Default decree of condemnation and destruction. (F. D. C. No. 5021. Sample No. 29493–E.)

On June 7, 1941, the United States attorney for the Eastern District of Kentucky filed a libel against 25 prints of butter at Newport, Ky., alleging that the article had been shipped in interstate commerce on or about June 5, 1941, by French-Bauer, Inc., from Cincinnati, Ohio; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance. The article was labeled in part: (Cartons) "Blue Grass Brand Butter—Clover Leaf Dairy, Distributors, Newport, Kentucky."

On July 1, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2346. Adulteration of butter. U. S. v. 10 Tubs of Butter. Default decree of condemnation and destruction. (F. D. C. No. 5863. Sample No. 54236–E.)

On September 9, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 10 tubs of butter at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about September 2, 1941, by the Haldeman Creamery from Winchester, Va.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed animal substance. The article was labeled in part: (Stenciled on tubs) "J. A. Haldeman & Bro. * * * Philadelphia, Pa."

On September 29, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2347. Adulteration and misbranding of butter. U. S. v. 10 Cases and 30 Cases of Butter (and 1 other seizure action against butter). Default decrees. Portion of product ordered rendered into inedible grease; remainder ordered destroyed. (F. D. C. Nos. 5713, 5730. Sample Nos. 48081–E, 48082–E, 79936–E, 79937–E.)

In addition to containing mold, a portion of this product was also deficient in butterfat.

On August 12 and 21, 1941, the United States attorneys for the Southern District of Indiana and the Northern District of Georgia filed libels against 509 1-pound prints, 390 1-pound rolls, 293 ½-pound rolls, and 636 1-pound cartons of butter at Indianapolis, Ind., and 40 cases each containing 32 pounds of butter at Atlanta, Ga., alleging that the article had been shipped in interstate commerce within the period from on or about July 18 to on or about August 15, 1941, by Kingan & Co. from Lebanon, Ky.; and charging that it was adulterated and that a portion was also misbranded. It was labeled in part: "Forest Brook Creamery Butter," or "Piedmont Farm Brand Creamery Butter."