3031. Adulteration of butter. U. S. v. 9 Cubes of Butter. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 6285. Sample No. 76461–E.)

On November 8, 1941, the United States attorney for the District of Minnesota filed a libel against 9 cubes of butter at Marshall, Minn., alleging that the article had been shipped in interstate commerce on or about October 31, 1941, by Flandreaux Cooperative Creamery from Flandreaux, S. Dak.; and charging that it was 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.

On March 2, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

3032. Adulteration of butter. U. S. v. 12 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked and relabeled. (F. D. C. No. 6168. Sample No. 56982–E.)

On October 22, 1941, the United States attorney for the Southern District of New York filed a libel against 12 cartons, each containing approximately 64 pounds, of butter at New York, N. Y., alleging that the article had been shipped on or about October 9, 1941, by Nick's Produce Co. from Lemmon, S. Dak.; and charging that it was adulterated. It was labeled in part: "Creamery Butter J. R. Kramer, Inc. * * * New York."

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, a product which contains not less than 80 percent of milk fat, as provided by law.

On November 3, 1941, Nick's Produce Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration, so that it contain at least 80 percent of milk fat.

3033. Adulteration of butter. U. S. v. 13, 16, 12, and 14 Cubes of Butter. Consent decree of condemnation. Product released under bond for reconditioning. (F. D. C. No. 6668. Sample Nos. 43397–E, 43398–E.)

On or about December 20, 1941, the United States attorney for the Western District of Missouri filed a libel against a total of 55 cubes of butter at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about June 1, 1941, by the Southern Butter Co. from Muskogee, Okla.; and charging that it was adulterated. The article was labeled in part: (Box) "Creamery Butter S. S. Borden Co. Chicago Distributor."

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in whole or in part omitted from the article and that an article containing less than 80 percent by weight of milk fat had been substituted wholly or in part for butter.

On January 12, 1942, the Southern Butter Company, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was released under bond for reworking under the supervision of the Food and Drug Administration.

CHEESE

3034. Adulteration of Cheddar cheese. U. S. v. 3 Hoops and 3 Longhorns of Cheese. Default decree of condemnation. Product destroyed. (F. D. C. No. 6046. Sample No. 65539–E.)

Examination of this product showed the presence of a roach, insect fragments, and nondescript dirt.

On October 23, 1941, the United States attorney for the District of New Mexico filed a libel against 3 hoops and 3 longhorns of Cheddar cheese at Tucumcari, N. Mex., alleging that the article had been shipped in interstate commerce on or about September 17, 1941, by Armour & Co. from Amarillo, Tex.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Armour's Cloverbloom."

On December 6, 1941, no claimant having appeared, judgment was entered condemning and forfeiting the product. It was destroyed by the United States marshal on the same date.