

On November 17, 1942, and May 17, 1943, Swift & Co. having appeared as claimant for the lots located at New York, N. Y., Houma, La., and one of the lots located at New Orleans, La., and having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for rendering into butter oil. Between July 2, 1942, and March 5, 1943, no claimant having appeared for the remainder of the product, judgments of condemnation were entered and portions were ordered destroyed, portions were ordered sold to the highest bidder to be used for purposes other than as food, and portions were ordered delivered to packing plants to be disposed of for war purposes, under instructions from the War Production Board.

4561. Adulteration of butter. U. S. v. 32 Pounds, 64 Pounds, 96 Pounds, and 160 Pounds of Butter. Default decrees of condemnation. Product ordered delivered to the War Production Board for war purposes. (F. D. C. Nos. 8236, 8237. Sample Nos. 21520-F, 21521-F.)

The product was high in mold and a portion was also deficient in milk fat.

On August 15, 1942 the United States attorney for the Western District of Pennsylvania filed libels against a total of 352 pounds of butter at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce within the period from on or about July 23 to August 6, 1942, by the Valley Creamery Co. from Sistersville, W. Va.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed substance. A portion was alleged to be adulterated further in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: (Carton) "Valley Maid Brand Creamery Butter," or "Gold Bond Creamery Butter Armour Creameries. Distributors."

On September 24, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered delivered to the War Production Board for war purposes.

4562. Adulteration of butter. U. S. v. 11 Cases of Butter (and 5 additional seizure actions against butter). Decrees of condemnation. Portion of product ordered destroyed; portion ordered released under bond to be manufactured into butter oil; and remainder ordered released under bond to be reworked. (F. D. C. Nos. 8081, 8232, 8519, 8666, 8704, 8945. Sample Nos. 9203-F, 9624-F, 9625-F, 10727-F, 10804-F, 11002-F, 15906-F, 15907-F.)

Portions of this product were deficient in milk fat and the remainder contained mold.

Between July 16 and November 13, 1942, the United States attorneys for the Southern District of Alabama, Western District of Oklahoma, and the Northern District of California filed libels against 15 cartons, each containing 32 1-pound prints, and 250 cartons, each containing 16 ½-pound prints, of butter at Mobile, Ala.; 21 68-pound cubes of butter at Elk City, Okla., 15 60-pound cubes, 18 63-pound cubes, and 24 68-pound cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce within the period from on or about June 28 to November 17, 1942, by the Armour Creameries from Meridian, Miss., Bismarck, N. Dak., Floydada, Tex., and Minnesota Transfer, Minn.; and charging that it was adulterated. Portions of the article were labeled in part: "Cloverbloom Butter."

The butter seized at Mobile was alleged to be adulterated in that it consisted in whole or in part of a putrid and decomposed substance. The butter seized at San Francisco was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The butter seized at Elk City contained mold and was low in milk fat.

On October 5 and December 11 and 24, 1942, Armour & Co., having appeared as claimant for the butter seized at San Francisco, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be brought into conformity with the law under the supervision of the Food and Drug Administration.

On February 11, 1943, no claim having been entered for 11 cases of butter at Mobile, judgment of condemnation was entered and they were ordered destroyed. On November 23, 1942 and March 19, 1943, Armour & Co., having appeared as claimant for the remaining 254 cases seized at Mobile and the lot at Elk City, and having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation were entered and the products were ordered released under bond for conversion into butter oil or other legal product.