

been held under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "H. & E. Cane Sugar * * * Confectioners."

On December 9, 1942, the C. D. Kenny Co., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.

DAIRY PRODUCTS

BUTTER

4956. Adulteration of butter. U. S. v. 55 Boxes of Butter. Default decree of condemnation. All but one box ordered delivered to County Fat Salvage Unit for war purposes; remaining box subsequently condemned and ordered destroyed. (F. D. C. No. 8448; Sample No. 27524-F.)

On September 4, 1942, the United States attorney for the District of Nevada filed a libel against 55 boxes, each containing 30 1-pound cartons, of butter at Las Vegas, Nev., alleging that the article had been shipped in interstate commerce on or about August 25, 1942, by the Brooklawn Creamery Co. from Salt Lake City, Utah, and charging that it was adulterated in that it consisted in whole or in part of a filthy substance since it contained insect parts, rodent hairs, plant fiber, and nondescript dirt, and in that it had been prepared under insanitary conditions whereby it may have become contaminated with filth. The article was labeled in part: "(Carton) 'Brooklawn Creamery Butter.'"

On April 9, 1943, the product having become moldy and rancid and unmarketable, the United States attorney and the claimant, the Brooklawn Creamery Co., entered into a stipulation authorizing and directing the marshal to deliver all but one box of the article to the County Fat Salvage Unit. On June 14, 1943, the Brooklawn Creamery Co. having withdrawn its answer and having consented to the entry of a decree, judgment of condemnation was entered with respect to the remaining box of the product and it was ordered destroyed.

4957. Adulteration of butter. U. S. v. 104 Cases, 6 Cases, and 14 Cases of Butter. Decree of condemnation. Product ordered released under bond conditioned that it be reworked into butter oil. (F. D. C. No. 9011. Sample No. 28261-F.)

This product contained excessive mold and filthy material.

On November 28, 1942, the United States attorney for the Northern District of Georgia filed a libel against 104 cases, each containing 30 1-pound rolls, and 20 cases, each containing 30 1-pound prints, of butter at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about November 14, 1942, by Wilson & Co. from Beaumont, Tex.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed substance. The article was labeled in part: "(Rolls) 'Clear Brook Finest Creamery Butter'" "(prints) 'Clearbrook Creamery Butter,'" or "Blue Bell Creamery Butter * * * Blue Bell Creameries Brenhan and Giddings, Texas."

On January 22, 1943, Wilson & Co. having appeared as claimant, and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it might be reworked into butter oil under the supervision of the Food and Drug Administration. The reworked product was not satisfactory, and the product was sold to a rendering plant.

4958. Adulteration of butter. U. S. v. 9 Cases and 3 Cartons of Butter. Decrees of condemnation. One lot ordered released under bond for reworking. Remaining lot ordered denatured. (F. D. C. Nos. 8982, 10497. Sample Nos. 31722-F, 48465-F.)

On or about November 27, 1942, and August 19, 1943, the United States attorney for the Southern District of Ohio filed libels against 9 cases and 3 cartons of butter at Cincinnati, Ohio, which had been consigned on or about November 20, 1942, and August 13, 1943, alleging that the article had been shipped in interstate commerce by the Napoleon Creamery Co. from Napoleon, Ind.; and charging that it was adulterated. The article was labeled in part: "(Wrappers) 'Butter Countryside Farm Products Co. * * * Cincinnati, Ohio,'" or "Spring Dale Brand Creamery Butter."

One lot 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 remaining lot was alleged to be adulterated in that it consisted in whole or in part of a filthy or decomposed substance, indicated by the presence of mold mycelia.

On December 1, 1942, the Napoleon Creamery Co., having appeared as claimant for the lot which was adulterated because of low milk fat content, and having consented to the entry of a decree, judgment of condemnation was entered and the prod-