was conclusive evidence of decomposition; and (additional charge in amended libel) the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments, fly fragments, and insect fragments.

DISPOSITION: On or about August 22, 1945, French-Bauer, Inc., filed a motion to strike certain matter from the record and to dismiss the libel, alleging that a product having a high mold mycelia count does not consist in whole or in part of a filthy or decomposed animal substance, and that a high mold mycelia count is not conclusive evidence of decomposition. On October 15, 1945, the court overruled the motion, and the libel was subsequently amended. On October 30, 1945, the claimant having admitted the facts in the libel and amended libel, 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.

10588. Adulteration of butter. U. S. v. 10 Cases * * *. (F. D. C. No. 18299. Sample No. 24815–H.)

LIBEL FILED: On or about August 7, 1945, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about July 19, 1945, by the Jerpe Dairy Products Corporation, from Fayetteville, Ark.

PRODUCT: 10 32-pound cases of butter at New Orleans, La. Analysis showed that the product contained mold.

LABEL, IN PART: "Clear Brook Creamery Butter Wilson & Co., Distributors * * * Chicago, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed animal substance.

DISPOSITION: September 10, 1945. No claimant having appeared, judgment of condemnation was entered and the butter was ordered sold to rendering plants for processing into products other than those for human consumption, for use in the war effort.

10589. Adulteration of butter. U. S. v. 475 Boxes (15,200 pounds) * * *. (F. D. C. No. 18293. Sample Nos. 7474–H, 7475–H.)

LIBEL FILED: August 28, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about August 3, 1945, by the Davis-Cleaver Produce Co., Quincy, Ill.

PRODUCT: 475 boxes, each containing 32 1-pound prints, of butter at New York, N. Y. Analysis showed that the product contained mold.

LABEL, IN PART: (Portion) "Ferndale Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, putrid, and decomposed substance; and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: September 17, 1945. The Davis-Cleaver 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 converted into refined butter oil, under the supervision of the Food and Drug Administration.

10590. Adulteration of butter. U. S. v. 85 Cartons (5,440 pounds) * * *. (F. D. C. No. 18294. Sample Nos. 7446–H to 7454–H, incl.)

LIBEL FILED: August 23, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about August 2, 1945, by the Twin Rivers Co., Inc., Grand Island, Nebr.

PRODUCT: 85 cartons, each containing 64 pounds, of butter at New York, N. Y.

LABEL, IN PART: (Portions) "Butter S. & W. Waldbaum, Inc. Distributors New York, N. Y.," or "Creamery Butter Distributed by United Creameries Service Omaha, Nebr."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: September 4, 1945. The Loup City Cooperative Creamery, the Broken Bow Creamery, the Arnold Creamery, and the Calloway Creamery,