that the article had been shipped in interstate commerce within the period from on or about July 5 to on or about July 11, 1940, by the Yorkshire Creamery Co. from Bruce, Miss.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed animal substance which rendered it unfit for food.

On September 11, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

726. Adulteration and misbranding of butter. U. S. v. 3 Cartons and 29½ Boxes of Butter. Decrees of condemnation. Portion of product ordered destroyed; remainder ordered released under bond. (F. D. C. Nos. 3013, 3031. Sample Nos. 2682–E, 33377–E.)

Samples taken from one shipment of this product were found to contain mold and those taken from the other were found to be deficient in milk fat.

On or about September 5 and September 9, 1940, the United States attorneys for the District of Massachusetts and the District of Connecticut filed libels against 3 cartons of butter at Worcester, Mass., and 29½ boxes of butter at New Haven, Conn., alleging that the article had been shipped in interstate commerce by the Cudahy Packing Co. from Sioux City, Iowa, on or about August 14 and August 30, 1940; and charging that it was adulterated and that one shipment was also misbranded. The article was labeled in part: "Daisy Maid Brand Creamery Butter" or "Daisy Butter."

The lot seized at Worcester, Mass., was alleged to be adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance.

The lot seized at New Haven, Conn., was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. It also was alleged to be misbranded in that the statement on the label "Butter" was false and misleading.

On September 30, 1940, no claimant having appeared for the lot seized at Worcester, Mass., judgment of condemnation was entered and the said lot was ordered destroyed. On September 23, 1940, the Cudahy Packing Co., having appeared as claimant for the butter seized at New Haven, Conn., and having admitted the allegations of the libel, judgment of condemnation was entered and the product seized in that district was ordered released under bond conditioned that it be brought into compliance with the law.

727. Adulteration of packing stock butter. U. S. v. 1 Drum of Packing Stock Butter. Default decree of condemnation and destruction. (F. D. C. No. 2680. Sample No. 28438–E.)

Samples of this product were found to contain various types of filth such as maggots, cow hairs, rodent hairs, insects, fragments of insects, and nondescript dirt.

On August 22, 1940, the United States attorney for the District of Maryland filed a libel against 1 drum of butter at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about August 13, 1940, by J. W. Bell from Shelby, N. C.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance and was otherwise unfit for food.

On October 3, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

728. Adulteration and misbranding of butter. U. S. v. 28, 117, and 62 Pounds of Creamery Butter. Default decree of condemnation and destruction. (F. D. C. No. 1738. Sample Nos. 4231–E, 4232–E, 4233–E.)

This product was short weight and one lot was deficient in milk fat.

On March 26, 1940, the United States attorney for the Northern District of Indiana filed a libel against 207 pounds of creamery butter at Hammond, Ind., alleging that the article had been shipped in interstate commerce on or about March 8 and 15, 1940, by Byrnes & Schuhmann, Inc., from Chicago, Ill., to Byrnes & Schuhmann, Inc., at Hammond, Ind.; and charging that it was misbranded and that one lot was also adulterated. It was labeled in part: "Murphy Brand Butter * * * Distributed by Murphy Butter & Egg Co. Chicago, Ill."; or "Sweet Clover Creamery Butter * * * Murphy Butter & Egg Co. Chicago, Illinois."

One lot (20 pounds) was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted or abstracted from the article and in that a substance containing less than 80 percent by weight of milk fat had been substituted wholly or in part for butter.