

27828. Adulteration of butter. U. S. v. 40 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 40367. Sample No. 60408-C.)

This product contained less than 80 percent of milk fat.

On or about September 3, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 40 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about August 25, 1937, by the Clarco Products Co. from Chickasha, Okla., and charging adulteration in violation of the Food and Drugs Act.

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 should contain not less than 80 percent of milk fat.

On September 20, 1937, Karsten & Sons, Inc., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked so that it comply with the law.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27829. Adulteration and misbranding of butter. U. S. v. Deer Park Creamery Co. Plea of nolo contendere. Fine, \$75. (F. & D. No. 36034. Sample Nos. 24091-C, 24092-C.)

This product contained less than 80 percent of milk fat.

On July 8, 1937, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Deer Park Creamery Co., a corporation, Deer Park, Wash., alleging that on or about November 30, 1936, the defendant sold and delivered to Swift & Co., at Spokane, Wash., a quantity of butter under a guaranty that it was not adulterated or misbranded in violation of the Food and Drugs Act; that on or about December 3, 1936, portions of the said butter, in the identical condition as when it was received, was shipped by Swift & Co. from the State of Washington into the State of Idaho; and charging that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: (Wrapper) "Swift's Brookfield Butter * * * Distributed by Swift & Company * * * Chicago."

It 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 should contain not less than 80 percent of milk fat.

On September 7, 1937, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$75.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27830. Adulteration of canned salmon. U. S. v. Independent Salmon Canneries, Inc. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 36962. Sample Nos. 26569-B, 37922-B.)

This product was in part decomposed.

On March 3, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Independent Salmon Canneries, Inc., Seattle, Wash., alleging shipment by said company in violation of the Food and Drugs Act on or about August 9, 1935, from Ketchikan, Alaska, into the State of Washington of a quantity of canned salmon that was adulterated.

The article was alleged to be adulterated in that it consisted in part of a decomposed animal substance.

On October 6, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$100 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27831. Adulteration and misbranding of olive oil. U. S. v. Cosmos Food Stores, Inc., and Paul B. Booras. Pleas of guilty. Corporation fined \$1; Paul B. Booras fined \$100, payment of which was suspended and defendant placed on probation for 1 year. (F. & D. No. 37922. Sample Nos. 65614-B to 65624-B, incl.)

This product was adulterated with tea-seed oil.

On September 21, 1936, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Cosmos Food Stores, Inc., Lynn, Mass.,