

1547. Adulteration of butter. U. S. v. Hjalmer Elmer Ahlstrand (Farmers Creamery). Plea of guilty. Fine, \$50. (F. D. C. No. 2892. Sample Nos. 10969-E, 33245-E.)

On May 12, 1941, the United States attorney for the District of Minnesota filed an information against Hjalmer Elmer Ahlstrand, trading as Farmers Creamery at St. Cloud, Minn., alleging shipment on or about May 7 and 15, 1940, from the State of Minnesota into the State of New York of quantities of butter that was adulterated. The article was labeled in part: "Butter Distributed by Hunter, Walton & Co. * * * New York, N. Y."

It was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On May 12, 1941, the defendant entered a plea of guilty and on June 9, 1941, the court imposed a fine of \$50.

1548. Adulteration of butter. U. S. v. Frank Pilley & Sons, Inc. (Lyon County Creamery). Plea of guilty. Fine, \$30. (F. D. C. No. 2900. Sample No. 30558-E.)

On June 10, 1941, the United States attorney for the District of Minnesota filed an information against Frank Pilley & Sons, Inc., a corporation, Tracy, Minn., trading under the name of Lyon County Creamery, alleging shipment by said defendant on or about August 5, 1940, from the State of Minnesota into the State of Illinois, of a quantity of butter that was adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product that contained less than 80 percent by weight of milk fat had been substituted for butter.

On June 11, 1941, the defendant having entered a plea of guilty, the court imposed a fine of \$30.

1549. Adulteration of butter. U. S. v. John J. Fernholz (Napoleon Creamery). Plea of guilty. Fine, \$10. (F. D. C. No. 2901. Sample No. 33307-E.)

On January 11, 1941, the United States attorney for the District of North Dakota filed an information against John J. Fernholz, trading as Napoleon Creamery at Napoleon, N. Dak., alleging shipment on or about May 31, 1940, from the State of North Dakota into the State of New York of a quantity of butter that was adulterated. The article was labeled in part: "Creamery Butter Distributed by Zimmer & Dunkak, Inc., New York, N. Y."

It was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On May 8, 1941, the defendant having entered a plea of guilty, the court imposed a fine of \$10.

Nos. 1550 to 1553, inclusive, report the seizure and disposition of butter that was deficient in milk fat.

1550. Adulteration and misbranding of butter. U. S. v. 75 Cases of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 2191. Sample No. 21014-E.)

On May 23, 1940, the United States attorney for the Territory of Hawaii filed a libel against 75 cases of butter at Honolulu, Territory of Hawaii, consigned by Armour & Co., alleging that the article had been shipped in interstate commerce or on about May 17, 1940, from San Francisco, Calif.; and charging that it was adulterated and misbranded.

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. It was alleged to be misbranded in that the statement "Armour's Star Quality Cloverbloom Butter," borne on the label, was false and misleading.

On May 23, 1940, Armour & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked and disposed of under the supervision of the Food and Drug Administration.

1551. Adulteration and misbranding of butter. U. S. v. Butter in Rolls, Cartons, and Tubs. Decrees of condemnation. Portion of product ordered released under bond to be reworked; remainder ordered delivered to charitable institutions. (F. D. C. Nos. 3325, 3439. Sample Nos. 24525-E, 24526-E, 24527-E, 24533-E.)

On October 25 and November 2, 1940, the United States attorney for the Middle District of Pennsylvania filed libels against 45 cases, each containing 32 pound

rolls, 57 cases, each containing 32 pound cartons, and 11 tubs, each containing 63 pounds of butter, at Nanticoke, Pa.; and 35 cases, each containing 32 pounds of butter, at Scranton, Pa., alleging that the article had been shipped in interstate commerce on or about October 15 and 21, 1940; by Armour Creameries from Mitchell, S. Dak.; and charging that it was adulterated and misbranded. It was labeled in part: "Armour's Clover Bloom Butter."

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. It was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent by weight of milk fat.

On October 31, 1940, and July 8, 1941, Armour & Co., claimant, having admitted the allegations of the libel filed on October 25, 1940, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be reworked to comply with the law. On July 8, 1941, no claimant having appeared for the product seized at Scranton, it was ordered delivered to a local charitable institution for its own use but not for sale.

1552. Adulteration and misbranding of butter. U. S. v. 11 Cubes of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 3850. Sample No. 55955-E.)

On February 11, 1941, the United States attorney for the Western District of Washington filed a libel against 11 cubes of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about February 7, 1941, by the Sandpoint Creamery Co. from Sandpoint, Idaho; and charging that it was adulterated and misbranded. The article was labeled in part: "Butter Puget Sound Butter & Egg Co. Seattle, Wash."

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. It was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On February 20, 1941, the Sandpoint Creamery Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned in substance that it be reworked so that it contain 80 percent of milk fat.

1553. Adulteration of butter. U. S. v. 27% Cases of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. D. C. No. 3174. Sample No. 16172-E.)

On September 26, 1940, the United States attorney for the District of Kansas filed a libel against 27% cases, each containing 30 pounds, of butter at Kansas City, Kans., alleging that the article had been shipped in interstate commerce on or about September 18, 1940, by the Emma Creamery Co. from Emma, Mo.; and charging that it was adulterated in that a valuable constituent, milk fat, had been in whole or in part extracted therefrom, and in that an article or substance containing less than 80 percent by weight of milk fat had been substituted wholly or in part for butter.

On October 5, 1940, Talbot, Woods & Co., Kansas City, Kans., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

1554. Adulteration of butter. U. S. v. 14 Cases of Butter. Default decree of condemnation and destruction. (F. D. C. No. 4413. Sample No. 50671-E.)

This product contained mold.

On April 3, 1941, the United States attorney for the Southern District of West Virginia filed a libel against 14 cases of butter at Charleston, W. Va., alleging that the article had been shipped in interstate commerce on or about March 22, 1941, by the Beatrice Creamery Co. from Cincinnati, Ohio; and charging that it was adulterated in that it consisted in whole or in part of a decomposed animal substance. It was labeled in part: "Cloverhill Butter."

On April 24, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.