

4757. Adulteration of butter. U. S. v. 12 Cases of Butter. Consent decree of condemnation. Product ordered sold for technical purposes. (F. D. C. No. 8522. Sample No. 28125-F.)

This product contained mold, indicating that it had been made from decomposed cream.

On or about September 2, 1942, the United States attorney for the Southern District of Florida filed a libel against 12 cases, each containing 32 pounds, of butter at Tampa, Fla., alleging that the article had been shipped in interstate commerce on or about August 8, 1942, by the Cudahy Packing Co. from Nashville, Tenn.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. The article was labeled in part: (Tissue wrappers around 1-lb. rolls) "Daisy Maid Brand Country Roll Style Butter."

On September 2, 1942, the Cudahy Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed. Subsequently the decree was amended to order the sale of the product for technical purposes.

Nos. 4758 to 4767, incl., (also No. 4754) report actions involving butter that was low in milk fat.

4758. Adulteration of butter. U. S. v. Cudahy Packing Co. Plea of guilty. Fine, \$50 and costs. (F. D. C. No. 8769. Sample No. 1507-F.)

On January 22, 1943, the United States attorney for the District of Nebraska filed an information against the Cudahy Packing Co., a corporation, at South Omaha, Neb., alleging shipment on or about July 14, 1942, from the State of Nebraska 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 which contained less than 80 percent by weight of milk fat had been substituted for butter.

On June 21, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$50 and costs.

4759. Adulteration of butter. U. S. v. Elliott Ice Co., Inc. Plea of guilty. Fine, \$100. (F. D. C. No. 8740. Sample No. 16991-F.)

On December 8, 1942, the United States attorney for the Western District of Virginia filed an information against the Elliott Ice Co., Inc., a corporation, at Charlottesville, Va., alleging shipment on or about July 16, 1942, from the State of Virginia into the State of New York 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 which contained less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Butter Distributed By J. R. Kramer, Inc. * * * New York, N. Y."

On December 8, 1942, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$100.

4760. Adulteration of butter. U. S. v. 20 Cases of Butter. Decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 9283. Sample No. 14332-F.)

On January 4, 1943, the United States attorney for the Southern District of California filed a libel against 20 cases, each containing 30 pounds, of butter at Long Beach, Calif., alleging that the article had been shipped in interstate commerce on or about December 28, 1942, by the Mountain States Creamery Co. from Salt Lake City, Utah; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: (Parchment) "Mountain View Pasteurized Creamery Butter."

On January 12, 1943, the Mountain States Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

4761. Adulteration of butter. U. S. v. 7 Tubs of Butter. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 9286. Sample No. 31876-F.)

On January 22, 1943, the United States attorney for the Southern District of Ohio filed a libel against 7 70-pound tubs of butter at Cincinnati, Ohio, which had

been consigned on or about January 18, 1943, alleging that the article had been shipped in interstate commerce by the Farmers Marketing Association from Columbus, Ind.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On February 17, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

4762. Adulteration of butter. U. S. v. 4 Cases of Butter. Default decree of condemnation. Product ordered distributed to charitable institutions. (F. D. C. No. 9467. Sample No. 20165-F.)

On or about February 10, 1943, the United States attorney for the District of Rhode Island filed a libel against 4 cases, each containing 32 1-pound prints, of butter at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about February 3, 1943, by the Cabot Farmers' Cooperative Creamery Co. from Cabot, Vt.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: (Cartons) "Rose-dale Brand High Grade Vermont Creamery Butter."

On March 2, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered distributed to charitable institutions.

4763. Adulteration of butter. U. S. v. 85 1-pound Prints of Butter. Default decree of condemnation. Product ordered delivered to a Federal institution. (F. D. C. No. 9703. Sample No. 12956-F.)

On March 15, 1943, the United States attorney for the Western District of Washington filed a libel against 85 1-pound prints of butter at Seattle, Wash., which had been consigned by the Meadow Gold Dairy, alleging that the article had been shipped in interstate commerce on or about March 6, 1943, from Bozeman, Mont.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Meadow Gold Butter * * * Distributed by Beatrice Creamery Company."

On April 27, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal institution.

4764. Adulteration of butter. U. S. v. 12 Boxes of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 9967. Sample Nos. 45081-F, 45082-F.)

On April 21, 1943, the United States attorney for the Southern District of New York filed a libel against 12 66-pound boxes of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about April 3, 1943, by the Winthrop Creamery Co. from Winthrop, Iowa; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Creamery Butter Distributed William Menzer, Inc. * * * New York."

On May 5, 1943, William Menzer, Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration so that it comply with the law.

4765. Adulteration of butter. U. S. v. 3 Cubes and 17 Cubes (1,260 pounds) of Butter. Decrees of condemnation. Product ordered released under bond for reworking. (F. D. C. Nos. 8929, 8946. Sample Nos. 10783-F, 10808-F.)

On November 7 and 16, 1942, the United States attorney for the Northern District of California filed libels against a total of 20 63-pound cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about October 16 and 28, 1942, by the Land O'Lakes Creameries, Inc., from Chicago, Ill.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. It was labeled in part: "Distributed by the Kroger Grocery & Baking Co."

On November 19, 1942, B. J. Holmes, doing business as B. J. Holmes Sales Co., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.