

DAIRY PRODUCTS

BUTTER

8179. Adulteration of butter. U. S. v. 19½ Cases of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16357. Sample No. 72494-F.)

LIBEL FILED: October 11, 1944, Western District of Tennessee.

ALLEGED SHIPMENT: On or about October 3, 1944, by the Sugar Creek Creamery Co., from St. Louis, Mo.

PRODUCT: 19½ 16-pound cases of butter at Memphis, Tenn. Analysis showed that the product contained mold.

LABEL, IN PART: (Carton) "Weona Farms Butter * * * Packed for Weona Food Stores, Inc. Memphis, Tenn."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy or decomposed animal substance.

DISPOSITION: November 13, 1944. The Sugar Creek Creamery 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.

8180. Adulteration of butter. U. S. v. 9 Cases of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16676. Sample No. 24404-H.)

LIBEL FILED: June 6, 1945, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about May 22, 1945, by the Sugar Creek Creamery Co., from Russellville, Ark.

PRODUCT: 9 cases, each containing 32 1-pound cartons, of butter at New Orleans, La. Analysis showed that the product contained mold.

LABEL, IN PART: (Carton) "Cudahy's Sunlight Creamery Butter * * * The Cudahy Packing Co. Distributors * * * Chicago, Ill."

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

DISPOSITION: August 3, 1945. The Sugar Creek Creamery Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for conversion into butter oil, under the supervision of the Federal Security Agency.

8181. Adulteration of butter. U. S. v. 5 Cartons (150 pounds) of Butter. Default decree of condemnation and destruction. (F. D. C. No. 16718. Sample No. 9590-H.)

LIBEL FILED: June 25, 1945, Western District of New York.

ALLEGED SHIPMENT: On or about June 13, 1945, by the Paul A. Schulze Co., from St. Louis, Mo.

PRODUCT: 5 30-pound cartons of butter at Buffalo, N. Y. Analysis showed that the product contained mold.

LABEL, IN PART: "Peerless Brand Butter Packed for Hickman, Coward & Wattles, Inc., Buffalo, N. Y."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy or decomposed animal substance.

DISPOSITION: July 24, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8182. Adulteration of butter. U. S. v. 93 Cases and 42 Cases of Butter. Default decrees of condemnation. Product ordered sold to rendering plants. (F. D. C. Nos. 12785, 17112. Sample Nos. 61705-F, 24419-H.)

LIBELS FILED: June 7, 1944, and on or about July 2, 1945, Eastern District of Louisiana; libel of June 7 amended October 13, 1944.

ALLEGED SHIPMENT: On or about May 25, 1944, and June 9, 1945, by the Denison Poultry and Egg Co., from Denison, Tex.

PRODUCT: 93 cases and 42 cases, each containing 32 1-pound cartons, of butter at New Orleans, La. Examination showed that both lots had a high mold mycelia count, and that 1 lot (93 cases) contained fly parts and other insect fragments, rodent hairs, feather barbules, and fragments of manure.

LABEL, IN PART: "Diamond W Brand Butter."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed animal substance and (one lot) of a filthy substance.

DISPOSITION: August 29, 1945. Default having been noted, judgments of condemnation were entered and the product was ordered sold to rendering plants, for use other than human consumption.

8183. Adulteration of butter. U. S. v. 1,600 1-Pound Prints of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16091. Sample No. 4325-H.)

LIBEL FILED: April 20, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 22, 1945, by the Nemaha Cooperative Creamery Association, from Sabetha, Kans.

PRODUCT: 1,600 1-pound prints of butter at Philadelphia, Pa.

LABEL, IN PART: "Montco Brand Sweet Cream Butter Distributed By Wm. Montgomery Co. Philadelphia, Pa.," or "Country Store Brand Butter * * * Distributed By John S. Morris & Son, Philadelphia, Pa."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a substance which, because of its offensive odor and flavor, was unfit for food.

DISPOSITION: April 23, 1945. John S. Morris & Son, Philadelphia, Pa., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be sold for purposes other than human consumption, under the supervision of the Food and Drug Administration.

8184. Adulteration of butter. U. S. v. 126 70-pound Cubes of Butter (and 2 other seizure actions against butter). Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 16721, 16725, 16736. Sample Nos. 26148-H, 26149-H, 31086-H.)

LIBELS FILED: May 29 and June 11, 1945, Southern District of California.

ALLEGED SHIPMENT: Between the approximate dates of May 16 and June 2, 1945, by the T & O Sales Co., from Amarillo, Tex.

PRODUCT: 188 70-pound cubes and 109 72-pound cubes of butter at Los Angeles, Calif. Analysis showed that 62 70-pound cubes of this butter contained insects, insect fragments, feather barbules, and hair fragments similar to rodent hair fragments; and that the remainder was deficient in milk fat.

LABEL, IN PART: (Portions) "Made By Wellington Creamery Wellington, Texas," or "Prices Creameries, Inc. 213 N. W. Main St. Portales, N. Mex."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), (portion) the product consisted in whole or in part of a filthy or decomposed substance; and, Section 402 (a) (4), it had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; and (portion), Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: June 30 and July 20, 1945. The Wellington Creamery, Wellington, Tex., and Prices Creameries, Inc., El Paso, Tex., claimants, having consented to the entry of decrees, judgments of condemnation were entered. The product was ordered released under bond, the portion low in fat to be reworked to the proper fat content. The remainder was to be converted into refined butter oil, provided that examination disclosed that it would be fit for human consumption after refining; otherwise it was to be disposed of for purposes other than human consumption.

8185. Adulteration of butter. U. S. v. 50 Cases (2,500 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16328. Sample Nos. 13179-H, 13180-H.)

LIBEL FILED: May 12, 1945, Southern District of Ohio.

ALLEGED SHIPMENT: On or about May 1, 1945, by the Borden Dairy & Ice Cream Co., from Grand Rapids, Mich.

PRODUCT: 50 50-pound cases of butter at Dayton, Ohio.

LABEL, IN PART: "Butter Keep Cool."

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