

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 11563 to 11570; that was below the standard for milk fat content, Nos. 11569 and 11571 to 11579; and that was short of the declared weight, No. 11570.

11563. Adulteration of butter, U. S. v. 225 Pounds * * *. (F. D. C. No. 21056. Sample No. 35767-H.)

LIBEL FILED: July 30, 1946, Southern District of Illinois.

ALLEGED SHIPMENT: On or about July 25, 1946, by the Aro Creamery Co., from St. Louis, Mo.

PRODUCT: 225 pounds of butter at Alton, Ill. The product contained mold.

LABEL, IN PART: "Alton Brand Creamery Butter Manufactured expressly for Alton Creamery, Alton Ill."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed animal substance.

DISPOSITION: November 13, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold to be denatured for use other than as a food product.

11564. Adulteration of butter. U. S. v. 206 64-Pound Cartons * * *. (F. D. C. No. 21066. Sample No. 63789-H.)

LIBEL FILED: September 9, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about August 26, 1946, by Redwood Creamery, from Redwood Falls, Minn.

PRODUCT: 206 64-pound cartons of butter at New York, N. Y. Examination showed that the product contained manure fragments, rodent hair fragments, insects and insect heads, insect fragments, cotton fibers, vegetable fragments, metal and rust fragments, and nondescript dirt.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy, putrid, 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.

DISPOSITION: November 25, 1946. Weinman & Winn, 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 to be denatured for use as soap stock, under the supervision of the Federal Security Agency.

11565. Adulteration of butter. U. S. v. 34 Cartons * * *. (F. D. C. No. 21055. Sample No. 63756-H.)

LIBEL FILED: August 13, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about July 17, 1946, by Turtle Mountain Creamery, from Dunseith, N. Dak.

PRODUCT: 34 64-pound cartons of butter at Jersey City, N. J. The butter contained rodent hair fragments, maggots, and insect fragments.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, putrid, or decomposed substance.

DISPOSITION: November 4, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold and denatured under the supervision of the Food and Drug Administration and disposed of as salvage fat.

11566. Adulteration of butter. U. S. v. 7 Cartons * * *. (F. D. C. No. 21065. Sample No. 42683-H.)

LIBEL FILED: August 19, 1946, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about August 12, 1946, by the Fairmont Creamery Co., from Columbus, Ohio.

PRODUCT: 7 cartons, each containing 32 boxes of 4 4-ounce prints, of butter at Huntington, W. Va. Examination showed that the product contained mold mycelia.

LABEL IN PART: "Fairmont Better Brand Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed animal substance.

DISPOSITION: October 2, 1946. The Fairmont Creamery Co., Omaha, Nebr., claimant, having admitted the allegations of the libel, 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.

11567. Adulteration of butter. U. S. v. 81 Cases * * *. (F. D. C. No. 21078. Sample No. 49692-H.)

LIBEL FILED: September 4, 1946, Southern District of Texas.

ALLEGED SHIPMENT: On or about July 9, 1946, by the Jerpe Dairy Products Corp., from Fort Smith, Ark.

PRODUCT: 81 cases, each containing 32 1-pound cartons, of butter at Houston, Tex. The product was found to contain mold.

LABEL, IN PART: "Superior Brand Butter Manufactured by Jerpe Commission Co., Inc. C. A. Swanson & Sons, Omaha, Nebraska."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed animal substance.

DISPOSITION: October 14, 1946. The Jerpe Dairy Products Corp., 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 disposed of in compliance with the law, under the supervision of the Food and Drug Administration. The product was converted into butter oil.

11568. Adulteration of butter. U. S. v. 69 Cases * * *. (F. D. C. No. 21062. Sample No. 49876-H.)

LIBEL FILED: August 29, 1946, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about August 22, 1946, by Armour & Co., from New Orleans, La.

PRODUCT: 69 cases, each containing 32 1-pound prints, of butter at Meridian, Miss. Analysis showed that the product contained mold.

LABEL, IN PART: "Creamery Butter Armour Creameries Distributors Gen'l Office, Chicago, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed animal substance.

DISPOSITION: October 15, 1946. Armour & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be converted into butter oil, under the supervision of the Federal Security Agency.

11569. Adulteration of butter. U. S. v. 61 Cartons * * * (and 2 other seizure actions). (F. D. C. Nos. 21050, 21057, 21937. Sample Nos. 19774-H, 19775-H, 48965-H, 49895-H.)

LIBELS FILED: On or about July 29 and 30, and October 21, 1946, District of Minnesota and Northern and Middle Districts of Alabama.

ALLEGED SHIPMENT: Between the approximate dates of June 22 and August 27, 1946, by the Cudahy Packing Co., from Fairmont, N. Dak., and Nashville, Tenn.

PRODUCT: Butter. 61 cartons at Minneapolis, Minn., and 14 cases at Birmingham and 17 cases at Montgomery, Ala. Each carton and case contained 32 1-pound prints of butter. Analysis showed that a portion of the product contained mold.

LABEL, IN PART: "Cudahy's Sunlight Creamery Butter," or "Cudahy's Daisy Maid Brand Creamery Butter."

NATURE OF CHARGE: Adulteration (2 lots), Section 402 (a) (3), the article consisted in whole or in part of a decomposed animal substance; and (1 lot), Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: August 29, October 9, and November 15, 1946. The Cudahy Packing Co., Chicago, Ill., having appeared as claimant for the Minneapolis lot and consented to the entry of a decree, and no claimant having appeared for