

**DAIRY PRODUCTS****BUTTER**

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 15818 to 15820, and that was below the legal standard for milk fat content, Nos. 15820 and 15821.

**15818. Adulteration of butter. U. S. v. 10 Boxes (320 pounds) \* \* \*.**  
(F. D. C. No. 28332. Sample No. 52235-K.)

**LIBEL FILED:** October 4, 1949, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about September 19, 1949, by Young & Staut, from Clarksburg, W. Va.

**PRODUCT:** 10 32-pound boxes of butter at Cincinnati, Ohio.

**LABEL, IN PART:** "Meadow Gold Butter \* \* \* Distributed by Beatrice Foods Co. General Offices—Chicago, Illinois."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of fragments of insects, fragments of flies, and rodent hair fragments.

**DISPOSITION:** December 21, 1949. Default decree of condemnation. The court ordered that the product be denatured under the supervision of the United States marshal and that it be disposed of for purposes other than for human consumption.

**15819. Adulteration of butter. U. S. v. 6 Cases \* \* \*.** (F. D. C. No. 28334. Sample No. 62672-K.)

**LIBEL FILED:** On or about October 20, 1949, District of Rhode Island.

**ALLEGED SHIPMENT:** On or about September 17, 1949, by the Cudahy Packing Co., from Winfield, Iowa.

**PRODUCT:** 6 cases, each containing 32 1-pound prints, of butter at Providence, R. I.

**LABEL, IN PART:** "Daisy Maid Brand Creamery Butter."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance. (Analysis disclosed that the product contained insect fragments, fly eggs, setae, moth scales, mites, feather barbules, and rodent hair fragments.)

**DISPOSITION:** November 30, 1949. Default decree of condemnation and destruction.

**15820. Adulteration and misbranding of butter. U. S. v. 216 Boxes (13,824 pounds) \* \* \*.** (F. D. C. No. 28555. Sample No. 64069-K.)

**LIBEL FILED:** October 28, 1949, Southern District of New York.

**ALLEGED SHIPMENT:** On or about October 7, 1949, by Linton Creamery Co., Inc., from Linton, N. Dak.

**PRODUCT:** 216 boxes, each containing 64 pounds, of butter at New York, N. Y.

**LABEL, IN PART:** "Butter Manufactured from Pasteurized Cream Beaver Valley Brand."

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

of samples disclosed the presence of fly fragments, insect parts, rodent hairs, mites, feather fragments, and manure.) Further adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding, Section 403 (a), the label statement "Butter" was false and misleading.

**DISPOSITION:** November 9, 1949. William Ludwig, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that the portion contaminated with filth be segregated and disposed of as soap stock and that the portion which was low in fat, but which was otherwise good, be reworked to the legal 80 percent of milk fat. Of the 216 boxes seized, 22 boxes were denatured for use as soap stock and 59 boxes were reworked to the proper fat content.

**15821. Adulteration and misbranding of butter. U. S. v. 113 Cartons (7,232 pounds) \* \* \*. (F. D. C. No. 28548. Sample No. 56692-K.)**

**LIBEL FILED:** On or about December 9, 1949, Southern District of New York.

**ALLEGED SHIPMENT:** On or about November 28, 1949, by the Hills Cooperative Creamery Co., from Hills, Minn.

**PRODUCT:** 113 64-pound cartons of butter at New York, N. Y.

**LABEL, IN PART:** "Butter—Distributed By Zenith-Godley Co. N. Y."

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

Misbranding, Section 403 (a), the label statement "Butter" was false and misleading.

**DISPOSITION:** December 21, 1949. Zenith-Godley Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be printed into 1-pound prints and the butterfat content raised to a minimum of 80 percent, under the supervision of the Food and Drug Administration.

### CHEESE

**15822. Adulteration of Cheddar cheese. U. S. v. Louis Alleman and Dorothy Radtke (Supreme Dairy Products Co.). Pleas of guilty. Fine of \$2,500 against each defendant. (F. D. C. No. 28096. Sampls Nos. 7292-K, 7878-K, 42920-K.)**

**INFORMATION FILED:** January 18, 1950, Southern District of Illinois, against Louis Alleman and Dorothy Radtke, trading as the Supreme Dairy Products Co., a partnership, at Macomb, Ill.

**ALLEGED VIOLATIONS:** Between the approximate dates of May 20 and July 1, 1949, the defendants caused quantities of adulterated cheese to be introduced into interstate commerce at Macomb, Ill., for delivery to Curwensville, Pa.

The defendants caused also to be given a false guaranty with respect to a quantity of adulterated cheese which they delivered on or about June 24, 1949, within the State of Illinois to the holder of the guaranty, who was engaged in the business of introducing and delivering for introduction into interstate commerce quantities of cheese. The guaranty had been given by the defendants to the holder of the guaranty, prior to June 24, 1949, and it provided, among other things, that no cheese shipped or sold by the defendants