

**PRODUCT:** 253 cases, each containing 12 1-quart, 14-fluid-ounce cans, of tomato juice at Hopkins, Minn.

**LABEL, IN PART:** "Wocco Brand Tomato Juice."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

**DISPOSITION:** March 16, 1950. Default decrees of condemnation. The court ordered that the product be denatured for use as animal feed or destroyed.

## DAIRY PRODUCTS

### BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 15854 to 15857, and that was below the legal standard for milk fat content No. 15858.

**15854. Adulteration of butter. U. S. v. Kent Products, Inc. Plea of guilty. Fine, \$50. (F. D. C. No. 26690. Sample Nos. 2749-K, 21875-K.)**

**INFORMATION FILED:** April 11, 1949, Western District of Missouri, against Kent Products, Inc., Kansas City, Mo.

**ALLEGED VIOLATIONS:** On or about October 15, 1948, the defendant delivered a quantity of butter to a firm at North Kansas City, Mo., under a guaranty that the product complied with the law. The guaranty had been given by the defendant on or about January 12, 1942, and provided that all food products sold and delivered thereunder would be neither adulterated nor misbranded under the law. The holder of the guaranty was engaged in the business of shipping butter in interstate commerce, and the butter delivered by the defendant under the above guaranty was adulterated.

On or about November 2, 1948, the defendant also caused\*to be introduced into interstate commerce at Kansas City, Mo., for delivery to Washington, D. C., a quantity of adulterated butter.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects, insect fragments, rodent hair fragments, setae, and manure fragments; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** February 10, 1950. A plea of guilty having been entered, the court fined the defendant \$50.

**15855. Adulteration of butter. U. S. v. 306 Boxes (19,584 pounds) \* \* \*. (F. D. C. No. 28330. Sample No. 42173-K.)**

**LIBEL FILED:** September 28, 1949, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about September 10, 1949, by Burkey's Creamery, from Cushing, Okla.

**PRODUCT:** 306 64-pound boxes of butter at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Samples of the product were found to contain excessive mold mycelia.)

**DISPOSITION:** February 10, 1950. The Peter Fox Sons Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was converted into butter oil, and the salvage operations resulted in 5,619 pounds of butter oil.

**15856. Adulteration of butter. U. S. v. 17 Boxes (1,105 pounds) \* \* \*.**  
(F. D. C. No. 28549. Sample No. 57505-K.)

**LIBEL FILED:** November 18, 1949, District of New Jersey.

**ALLEGED SHIPMENT:** On or about October 29, 1949, by the Producers Creamery Co., from Kirksville, Mo.

**PRODUCT:** 17 boxes, each containing 65 pounds, of butter at Jersey City, N. J.

**LABEL, IN PART:** "June Dairy Products Co., Inc. Distributors Jersey City, N. J."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy, putrid, or decomposed substance since it contained manure, insect and fly parts, fly eggs, feather barbules, and rodent hairs and hair fragments.

**DISPOSITION:** January 4, 1950. Default decree of condemnation. The court ordered that the product be delivered to a soap manufacturer for fat salvage.

**15857. Adulteration of butter. U. S. v. 145 Cartons (9,425 pounds) \* \* \*.**  
(F. D. C. No. 28553. Sample No. 42176-K.)

**LIBEL FILED:** October 20, 1949, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about September 22, 1949, by the Indiana Produce Co., from Huntingburg, Ind.

**PRODUCT:** 145 cartons, each containing 65 pounds, of butter at Chicago, Ill. Analysis showed that the product contained decomposed material and rodent and insect filth.

**LABEL, IN PART:** (Portion) "Creamy Butter The Peter Fox Sons Co. Distributors \* \* \* Chicago, Ill."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article was a decomposed and filthy product.

**DISPOSITION:** February 10, 1950. The Peter Fox Sons Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be utilized in compliance with the law, under the supervision of the Federal Security Agency. The product was denatured for use as soap grease or for other nonedible purposes.

**15858. Adulteration of butter. U. S. v. 6 Cartons (390 pounds) \* \* \*.**  
(F. D. C. No. 28556. Sample No. 64437-K.)

**LIBEL FILED:** On or about November 21, 1949, Southern District of New York.

**ALLEGED SHIPMENT:** On or about October 28, 1949, by the New Effington Creamery, from New Effington, S. Dak.

**PRODUCT:** 6 cartons, each containing 65 pounds, of butter at New York, N. Y.