

The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 17, 1951. Default decree of condemnation and destruction.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 17011 to 17014, and that was below the standard for milk fat content, Nos. 17015 to 17019.

17011. Adulteration of butter. U. S. v. 137 Cases * * *. (F. D. C. No. 30267. Sample No. 54657-K.)

LIBEL FILED: September 19, 1950, Northern District of Texas.

ALLEGED SHIPMENT: On or about August 23, 1950, by Harp Foods Mfg. Co., Inc., from Shawnee, Okla.

PRODUCT: 137 cases, each containing 32 1-pound prints, of butter at Wichita, Falls, Tex.

LABEL, IN PART: "Harp's Oklahoma Brand Creamery Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance and was unfit for human consumption. (Examination disclosed that the butter was made from cream that was in whole or in part decomposed.)

DISPOSITION: November 20, 1950. Harp Foods Mfg. Co., Inc., 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 for conversion into butter oil, under the supervision of the Federal Security Agency.

17012. Adulteration of butter. U. S. v. 48 Cases * * *. (F. D. C. No. 30272. Sample No. 84786-K.)

LIBEL FILED: October 26, 1950, Southern District of Ohio.

ALLEGED SHIPMENT: On or about October 18, 1950, by the Merchants Creamery Co., from Springfield, Mo.

PRODUCT: 48 cases, each containing approximately 63 pounds, of butter at Cincinnati, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance since it was made from decomposed cream, as evidenced by a high mold mycelia count.

DISPOSITION: December 12, 1950. The Merchants Creamery Co., 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 converted into refined butter oil, under the supervision of the Food and Drug Administration.

17013. Adulteration of butter. U. S. v. 11 Cases, etc. (F. D. C. No. 30443. Sample No. 54647-K.)

LIBEL FILED. September 5, 1950, Western District of Louisiana.

ALLEGED SHIPMENT. On or about August 7, 1950, by the A. T. Crouch Creamery Co., from Bloomer, Ark.

PRODUCT. Butter. 11 cases, each containing 32 1-pound cartons, and 16 cases, each containing 16 1-pound cartons, at Monroe, La.

LABEL, IN PART: "Armour Cloverbloom Butter * * * Armour Creameries Distributors General Office Chicago, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy and decomposed substance; and, Section 402 (a) (4), it was prepared and packed under insanitary conditions which may have contaminated the article.

DISPOSITION: November 6, 1950. Default decree of condemnation. The court ordered that the product be destroyed or otherwise disposed of by the marshal, as provided by law.

17014. Adulteration of butter. U. S. v. 9 Cases, etc. (F. D. C. No. 30232. Sample Nos. 81746-K, 81747-K.)

LIBEL FILED: November 8, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about October 10, 1950, by the Armour Creameries, from Winfield, Kans.

PRODUCT: Butter. 9 cases, each containing 52 cartons, and 16 cases, each containing 32 cartons, at Trenton, N. J.

LABEL, IN PART: (Carton) "One Pound Net Weight Spring Brook * * * Butter."

NATURE OF CHARGE:—Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance since it was made from decomposed cream and contained decomposed material.

DISPOSITION: January 4, 1951. Armour & 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 for conversion into butter oil, under the supervision of the Food and Drug Administration.

17015. Adulteration of butter. U. S. v. 179 Boxes * * * (and 1 other seizure action; 23,040 pounds, total). (F. D. C. Nos. 30269, 30273. Sample Nos. 65549-K, 65552-K, 85421-K, 85422-K.)

LIBELS FILED: October 5 and 20, 1950, District of Minnesota and Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about August 16 and 22, 1950, by the Gateway Farmers Creamery, from Eureka, S. Dak., and Linton, N. Dak.

PRODUCT: Butter. 179 boxes, each containing 64 pounds, at Milwaukee, Wis., and 181 cartons, each containing 64 pounds, at Minneapolis, Minn.

LABEL, IN PART: (Portion) "Beaver Valley Brand * * * Beaver Valley Creameries, Inc. Wishek, North Dakota"; (remainder) "Butter * * * The Eureka Creamery Eureka, S. D."

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.

DISPOSITION: December 20, 1950, and January 5, 1951. The Gateway Farmers Creamery, La Crosse, Wis., and the Eureka Creamery, claimants for the respective lots, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond, conditioned that it be reworked under the supervision of the Federal Security Agency.