

DISPOSITION: On July 6, 1951, the defendants filed a motion for a bill of particulars, which motion was argued on September 24, 1951. The court ruled that the defendants be advised as to the sections of the building where were observed the insanitary conditions charged in the information, but denied all other requests. On January 9, 1952, the defendants having entered pleas of guilty, the court imposed fines of \$400 against the corporation and \$200 against the individual.

DAIRY PRODUCTS

BUTTER

18269. Adulteration of butter. U. S. v. 46 Cartons * * *. (F. D. C. No. 31811. Sample Nos. 10939-L, 10940-L.)

LABEL FILED: August 30, 1951, Western District of Kentucky.

ALLEGED SHIPMENT: On or about August 7, 1951, by the Sugar Creek Creamery Co., from Evansville, Ind.

PRODUCT: 46 cartons, each containing approximately 62 pounds, of butter at Louisville, Ky.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed animal substance; and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat.

DISPOSITION: October 1, 1951. The Sugar Creek Creamery 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, conditioned that it be converted into butter oil, under the supervision of a representative of the Federal Security Agency.

18270. Adulteration of butter. U. S. v. Sauk Rapids Farmers Cooperative Creamery Co. Plea of guilty. Fine of \$300 on first count and \$600 on second count; fine on second count suspended and defendant placed on probation for 3 years. (F. D. C. No. 31547. Sample Nos. 75910-K, 19563-L.)

INFORMATION FILED: October 11, 1951, District of Minnesota, against the Sauk Rapids Farmers Cooperative Creamery Co., a corporation, Sauk Rapids, Minn.

ALLEGED SHIPMENT: On or about March 15, 1950, and May 3, 1951, from the State of Minnesota into the States of New York and Pennsylvania.

LABEL, IN PART: "Butter Distributed by Irving Fuchs * * * New York, N. Y." or "Butter Distributed by C. W. Dunnet & Co., Phila., Pa."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent of the article, milk fat, had been in part omitted; and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat.

DISPOSITION: December 4, 1951. A plea of guilty having been entered, the court sentenced the defendant to pay a fine of \$300 on the first count and \$600 on the second count, but suspended payment of the fine on the second count and placed the defendant on probation for 3 years.