

1050. Adulteration of butter. U. S. v. Cordie M. Helferich (Arrow Creameries). Plea of guilty. Fine, \$30. (F. D. C. No. 2852. Sample Nos. 10970-E, 10971-E, 10975-E.)

On October 31, 1940, the United States attorney for the District of North Dakota filed an information against Cordie M. Helferich, trading as Arrow Creameries at Hebron, N. Dak., alleging shipment on or about May 7, and on or about May 13, 1940, from the State of North Dakota into the State of New York of quantities of butter which was adulterated. The article was labeled variously: "Jos. J. Herold Co."; "Fortgang Bros."; or "J. R. Kramer, Inc."

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On November 29, 1940, the defendant entered a plea of guilty and was fined \$10 on each of the three counts of the information.

1051. Adulteration and misbranding of butter. U. S. v. Beatrice Creamery Co. Plea of guilty. Fine, \$400. (F. D. C. No. 2066. Sample Nos. 70403-D, 71146-D, 71147-D, 71183-D.)

This case involved 2 shipments of butter that was deficient in milk fat. One of these and a third shipment were short weight.

On May 29, 1940, the United States attorney for the District of Colorado filed an information against the Beatrice Creamery Co., a corporation, trading at Pueblo, Colo., alleging shipment within the period from on or about December 3, 1939, to on or about January 5, 1940, from the State of Colorado into the State of New Mexico of quantities of butter, of which one lot was adulterated, one lot was misbranded, and the remaining lot was both adulterated and misbranded. The article was labeled in part: "Queen City Creamery Butter * * * Beatrice Creamery Co." or "Mowry's Golden Glow Butter * * * Mowry Creamery Co."

Two shipments of the article were alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted from the article; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

The product in one of these shipments and that in a third shipment was alleged to be misbranded in that the statement "1 lb." borne on the label was false and misleading since the cartons contained less than 1 pound; and in that it was in package form and its label did not bear an accurate statement of the quantity of the contents.

On October 19, 1940, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$400.

1052. Adulteration of butter. U. S. v. The Cudahy Packing Co. Plea of nolo contendere. Fine, \$50. (F. D. C. No. 2081. Sample No. 79060-D.)

On June 13, 1940, the United States attorney for the Middle District of Tennessee filed an information against the Cudahy Packing Co., a corporation, Nashville, Tenn., alleging shipment on or about October 9, 1939, from the State of Tennessee into the State of Georgia of a quantity of butter which was adulterated. It was labeled in part: (Cartons) "Cudahy's Sunlight Creamery Butter."

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On October 25, 1940, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$50.

1053. Adulteration of butter. U. S. v. Dairymen's Co-operative Creamery of Boise Valley. Plea of guilty. Fine, \$80. (F. D. C. No. 2891. Sample Nos. 7306-E, 7314-E, 7341-E, 32040-E.)

On January 22, 1941, the United States attorney for the District of Idaho filed an information against the Dairymen's Cooperative Creamery of Boise Valley, a corporation, Caldwell, Idaho, alleging shipment within the period from on or about March 2 to on or about August 8, 1940, from the State of Idaho, into the State of California of quantities of butter that was adulterated.

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On February 7, 1941, a plea of guilty was entered on behalf of the defendant and a fine of \$80 was imposed.