

1054. Adulteration of butter. U. S. v. Farmers Cooperative Creamery Association. Plea of guilty. Fine, \$25 and costs. (F. D. C. No. 2836. Sample No. 3569-E.)

On October 18, 1940, the United States attorney for the Southern District of Iowa filed an information against the Farmers Cooperative Creamery Association, a corporation, Slater, Iowa, alleging shipment on or about May 16, 1940, from the State of Iowa into the State of New York of a quantity of butter which was adulterated. The article was labeled in part: (Wrappers) "Vita-Gold Sweet Cream Butter * * * Butter Distributed by Danahy-Faxon Stores, Inc., Buffalo, N. Y."

It 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 20, 1940, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25 and costs.

1055. Adulteration of butter. U. S. v. Perry Kier. Plea of guilty. Fine, \$50 and costs. (F. D. C. No. 2130. Sample Nos. 10962-E, 85876-D.)

On October 14, 1940, the United States attorney for the District of Kansas filed an information against Perry Kier, Mankato, Kans., alleging shipment on or about February 15 and May 2, 1940, from the State of Kansas into the State of New York, of quantities of butter that was adulterated. It was labeled in part: "Butter S. & W. Waldbaum Inc. Distributors New York, N. Y."

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

On December 2, 1940, the defendant entered a plea of guilty and the court imposed a fine of \$25 and costs.

1056. Adulteration of butter. U. S. v. George I. Southard and Mrs. Emma Southard (Pickwick Creamery). Pleas of guilty. Imposition of sentence suspended. Defendants placed on probation for 18 months. (F. D. C. No. 2869. Sample No. 14604-E.)

On January 28, 1941, the United States attorney for the District of Minnesota filed an information against G. I. Southard and Mrs. Emma Southard, copartners, trading as the Pickwick Creamery at Lamaille, Minn., alleging shipment on or about May 29, 1940, from the State of Minnesota into the State of Pennsylvania of a quantity of butter that was adulterated. It was labeled in part: "Frank Hellerick Co., Inc., Phila., Pa."

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 containing less than 80 percent by weight of milk fat had been substituted for butter.

On January 28, 1941, pleas of guilty having been entered by the defendants, imposition of sentence was suspended and they were placed on probation for 18 months.

1057. Adulteration of butter. U. S. v. George W. Romine, Cecil E. Romine, Joe B. Romine, and Kelsie R. Romine (Romine's Creamery Co.). Plea of guilty. Fine, \$35 and costs. (F. D. C. No. 2065. Sample Nos. 89412-D, 89414-D.)

On June 3, 1940, the United States attorney for the District of Kansas filed an information against George W. Romine, Cecil E. Romine, Joe B. Romine, Kelsie R. Romine, copartners trading as Romine's Creamery Co., at Osage City, Kans., alleging shipment within the period from on or about January 30 to on or about February 2, 1940, from the State of Kansas into the State of Illinois of a quantity of butter that was adulterated. It was labeled in part: "Creamery Butter Distributed by Dauber Bros. Chicago."

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 December 2, 1940, a plea of guilty was entered by the defendants and the court imposed a fine of \$35 and costs.

1058. Adulteration of butter. U. S. v. Stanton Cooperative Creamery. Plea of guilty. Fine, \$25 and costs. (F. D. C. No. 2840. Sample Nos. 10961-E, 85875-D.)

On October 26, 1940, the United States attorney for the District of Nebraska filed an information against the Stanton Cooperative Creamery, a corporation, Stanton, Nebr., alleging shipment on or about February 15 and May 2, 1940, from the State of Nebraska into the State of New York of a quantity of butter

that was adulterated. The article was labeled in part: "Creamery Butter Distributed by Dairy & Poultry Co-op. Inc. * * * New York."

It was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a substance containing less than 80 percent by weight of milk fat had been substituted wholly and in part for butter.

On November 8, 1940, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25 and costs.

1059. Adulteration of butter. U. S. v. Harding Cream Division of Sugar Creek Creamery Co. Plea of guilty. Fine, \$10 and costs. (F. D. C. No. 2076. Sample No. 72139-D.)

On June 13, 1940, the United States attorney for the District of Kansas filed an information against the Harding Cream Division of the Sugar Creek Creamery Co., a corporation at Salina, Kans., alleging shipment on or about January 25, 1940, from the State of Kansas into the State of Missouri of a quantity 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 containing less than 80 percent by weight of milk fat had been substituted for butter.

On June 27, 1940, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$10 and costs.

1060. Adulteration of butter. U. S. v. Talbot, Woods & Co., Inc. Plea of guilty. Fine, \$2. (F. D. C. No. 2083. Sample Nos. 72147-D, 72148-D.)

On August 7, 1940, the United States attorney for the District of Kansas filed an information against Talbot, Woods & Co., Inc., Kansas City, Kans., alleging shipment on or about February 19 and 20, 1940, from the State of Kansas into the State of Missouri of quantities of butter that was adulterated. It was labeled in part: "Creamery Butter * * * Country Club Dairy."

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 September 10, 1940, a plea of guilty having been entered on behalf of the defendant, a fine of \$2 was imposed.

1061. Adulteration of butter. U. S. v. Webster Creamery Co. Plea of guilty. Fine, \$25. (F. D. C. No. 2848. Sample No. 33312-E.)

On October 23, 1940, the United States attorney for the District of South Dakota filed an information against the Webster Creamery Co., a corporation, at Webster, S. Dak., alleging shipment on or about June 3, 1940, from the State of South Dakota into the State of New York of a quantity of butter that was adulterated. It was labeled in part: "Butter Distributed By F. F. Lowenfels & Son New York."

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

On December 3, 1940, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$25.

Nos. 1062 to 1086 report the seizure and disposition of butter which contained less than 80 percent of milk fat.

1062. Adulteration and misbranding of butter. U. S. v. 13 Tubs and 29 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. Nos. 3147, 3211. Sample Nos. 34151-E, 34165-E.)

On September 27 and October 5, 1940, the United States attorney for the Southern District of New York filed libels against 42 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about September 13 and 21, 1940, by the Ashley Creamery from Ashley, N. Dak.; and charging that it was adulterated and misbranded. The article was labeled in part: "Creamery Butter Distributed By Zimmer & Dunkak, Inc. * * * New York, N. Y."

It was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter. It was alleged to be misbranded in that the package was labeled "Butter," which was false and misleading as it contained less than 80 percent of milk fat.