

3254. Adulteration of butter. U. S. v. Arthur J. Johnson, and Gunuf Gunstenson (Kelliher Creamery Co.). Plea of guilty. Fine, \$25. (F. D. C. No. 5566. Sample No. 46372-E.)

On May 5, 1942, the United States attorney for the District of Minnesota filed an information against Arthur J. Johnson and Gunuf Gunstenson, copartners, trading as Kelliher Creamery Co., Kelliher, Minn., alleging delivery for introduction into interstate commerce on or about June 13, 1941, from the State of Minnesota into the State of New York of a quantity of butter which was 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. It was labeled in part: "Butter Distributed By Hunter, Walton & Co. 2336 New York, N. Y."

On May 5, 1942, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25.

3255. Adulteration of butter. U. S. v. New Auburn Creamery Association. Plea of guilty. Fine, \$15. (F. D. C. No. 6428. Sample No. 56913-E.)

On April 30, 1942, the United States attorney for the District of Minnesota filed an information against the New Auburn Creamery Association, a corporation, New Auburn, Minn., alleging shipment on or about June 11, 1941, from the State of Minnesota into the State of New York of a quantity of butter that was 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 April 30, 1942, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$15.

3256. Adulteration of butter. U. S. v. Ramus C. Sorensen (Walhalla Producers Creamery Co.). Plea of guilty. Fine, \$25. (F. D. C. No. 6431. Sample No. 69545-E.)

On March 24, 1942, the United States attorney for the District of North Dakota filed an information against Ramus C. Sorensen, trading as Walhalla Producers Creamery Co. at Walhalla, N. Dak., alleging shipment on or about June 3, 1941, from the State of North Dakota into the State of New York of a quantity of butter that was 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. The article was labeled in part: "Breakstone Bros. Inc. Distributors New York NY * * * No West Dairy Forward. Co. Carlton Minn."

On April 23, 1942, the defendant having entered a plea of guilty, the court imposed a fine of \$25 and costs.

3257. Adulteration of butter. U. S. v. 16 Tubs and 15 Cubes of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 6667. Sample Nos. 38397-E, 38378-E.)

On or about December 3, 1941, the United States attorney for the Northern District of Iowa filed a libel against 16 tubs and 15 cubes of butter at Sioux City, Iowa, alleging that the article had been shipped in interstate commerce on or about December 3 and 4, 1941, in part by the Verdigre Creamery Co. from Verdigre, Nebr., and in part by the Atkinson Cooperative Creamery Association from Atkinson, Nebr.; and charging that it was adulterated in that a valuable constituent, milk fat, had been in whole or in part omitted or extracted therefrom; and in that a product containing less than 80 percent by weight of milk fat had been substituted wholly or in part for butter.

On January 6, 1942, the Verdigre Creamery Co. and the Atkinson Cooperative Creamery Association, claimants for respective portions of the article, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought up to the legal standard under the supervision of the Food and Drug Administration.

3258. Misbranding of butter. U. S. v. 15 Cases of Butter. Default decree of condemnation. Product ordered delivered to a Federal agency. (F. D. C. No. 6669. Sample No. 85582-E.)

This product was short weight.

On December 18, 1941, the United States attorney for the Western District of Washington filed a libel against 15 cases of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about September 12, 1941, by Swift & Co. from Portland, Oreg.; and charging that it was misbranded

in that the prints did not contain "One Pound Net Weight," as labeled. The article was labeled in part: "Swift's Brookfield Butter."

On March 28, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal agency.

CHEESE

3259. Adulteration of Cheddar cheese. U. S. v. 20 Cheeses and 9 Cheeses. Default decree of condemnation and destruction. (F. D. C. Nos. 7039, 7040. Sample Nos. 92248-E, 92249-E.)

Examination showed that this product contained fragments of glass.

On March 13, 1942, the United States attorney for the Southern District of California filed a libel against 29 cheeses at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about January 27, 1942, by Western Creamery Co. from Salt Lake City, Utah; and charging that it was adulterated in that it contained an added deleterious substance, namely, glass, which might have rendered it injurious to health. It was labeled in part: "Koosharem * * * Whole Milk Cheddar Cheese."

On April 14, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3260. Adulteration of Cheddar cheese. U. S. v. 22 Boxes of Cheese. Decree of condemnation and destruction. (F. D. C. No. 6859. Sample No. 85256-E.)

This product was contaminated with hairs resembling those of rodents.

On February 13, 1942, the United States attorney for the Eastern District of Washington filed a libel against 22 boxes of cheese at Spokane, Wash., alleging that the article had been shipped in interstate commerce on or about January 26, 1942, by Gold Medal Dairies, Inc., from Grantsdale, Mont.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On April 2, 1942, the sole intervenor having withdrawn its claim, judgment of condemnation was entered and the product was ordered destroyed.

3261. Adulteration of Cheddar cheese. U. S. v. 191 Cases of Cheddar Cheese. Consent decree ordering that unfit portion be condemned and destroyed and that claimant file bond to insure such disposition of product. (F. D. C. No. 5944. Sample No. 65782-E.)

This product contained insect fragments and feather barbules.

On October 3, 1941, the United States attorney for the District of Idaho filed a libel against 191 cases of Cheddar cheese at Pocatello, Idaho, alleging that the article had been shipped in interstate commerce on or about September 11, 1941, by the Brooklawn Creamery Co. from Salt Lake City, Utah; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On March 10, 1942, the Brooklawn Creamery Co. having consented to the entry of a decree and the court having found that a portion of the product was not subject to condemnation, judgment was entered condemning the unfit and ordering it destroyed and ordering further that all be released under bond for segregation of the fit portion from the unfit portion.

3262. Adulteration of Cheddar cheese. U. S. v. 149 Boxes of Cheddar Cheese. Default decree of condemnation and destruction. (F. D. C. No. 5983. Sample No. 65784-E.)

This product contained insect fragments and feather barbules.

On October 6, 1941, the United States attorney for the District of Idaho filed a libel against 149 boxes of Cheddar cheese at Pocatello, Idaho, alleging that the article had been shipped in interstate commerce on or about September 18, 1941, by Calder Bros. Co. from Vernal, Utah; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, and that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On March 12, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3263. Adulteration of Cheddar cheese. U. S. v. 550 Boxes of Cheddar Cheese. Consent decree of condemnation. Product released under bond for salvaging. (F. D. C. No. 7020. Sample Nos. 86703-E, 86920-E.)

Examination showed that this product contained rodent hairs and insect fragments.