

DAIRY PRODUCTS

BUTTER

3454. Adulteration of butter. U. S. v. 14 Cubes of Butter. Default decree of condemnation and destruction. (F. D. C. No. 7643. Sample No. 92065-E.)

Examination showed that this product was rancid, tallowy, and otherwise unfit for food.

On June 2, 1942, the United States attorney for the Southern District of Florida filed a libel against 14 68-pound cubes of butter at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about April 23, 1942, by W. R. Perry from Portland, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed substance.

On June 23, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On the same date the decree was amended to permit sale of the butter by the United States marshal for use in the manufacture of soap.

3455. Adulteration and misbranding of butter. U. S. v. 152 Cases of Butter. Consent decree of condemnation and destruction. (F. D. C. No. 5049. Sample No. 40372-E.)

This product contained excessive mold and was deficient in milk fat.

On June 19, 1941, the United States attorney for the Middle District of Pennsylvania filed a libel against 152 cases, each containing 12 1-pound rolls, of butter at Harrisburg, Pa., alleging that the article had been shipped on or about June 9, 1941, by the Tri-State Butter Co. from Cincinnati, Ohio; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated (1) in that it consisted in whole or in part of a filthy or decomposed animal substance; and (2) in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. It was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On August 29, 1941, the consignee having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed, with the provision that it might be sold at public auction by the United States marshal for rendering purposes.

3456. Adulteration of butter. U. S. v. 10 Cartons of Butter. Default decree of condemnation and destruction. (F. D. C. No. 6330. Sample No. 90262-E.)

Analysis of this product showed that it contained excessive mold.

On November 24, 1941, the United States attorney for the District of Massachusetts filed a libel against 10 cartons, each containing 32 pounds, of butter at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about September 22, 1941, by White Mountain Creamery Co. from New Bremen, Ohio; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance. The article was labeled in part: (Wrappers) "Berkshire Creamery Butter Manufactured by White Mountain Creamery Co. New Bremen, Ohio."

On January 19, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 3457 to 3494 report actions based on interstate shipments of butter that was deficient in milk fat.

3457. Adulteration of butter. U. S. v. Big Fork Valley Co-Operative Association. Plea of guilty. Fine, \$25. (F. D. C. No. 6449. Sample No. 69543-E.)

On May 5, 1942, the United States attorney for the District of Minnesota filed an information against the Big Fork Valley Co-Operative Association, a corporation at Big Fork, Minn., alleging shipment on or about June 5, 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 an article containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Distributed By Hunter, Walton & Co. * * * New York."

On May 5, 1942, the defendant entered a plea of guilty and was fined \$25.