

DISPOSITION: July 5, 1944. The Arden Farms Co., Los Angeles, Calif., claimant, having admitted the allegations of the libel, judgments of condemnation were entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

6669. Adulteration of butter. U. S. v. 95 Cartons (2,850 pounds) of Butter (and 1 other seizure action against butter). Decrees of condemnation. Product ordered released under bond to be reworked. (F. D. C. Nos. 12065, 12202. Sample Nos. 53966-F, 53968-F, 54266-F to 54268-F, incl.)

LIBELS FILED: March 3 and 10, 1944, Southern District of California.

ALLEGED SHIPMENT: On or about February 12 and 29, 1944, by the San Juan Creamery, from Durango, Colo.

PRODUCT: 120 cartons and cases, each containing 30 pounds, and 14 pounds of butter at Los Angeles, Calif.

LABEL, IN PART: "Carty's Brand Butter Distributed by Carty's Los Angeles California."

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: March 22 and 23, 1944. Carty Bros., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

6670. Adulteration of butter. U. S. v. 17 Cubes and 16 Cubes (2,672 pounds) of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12394. Sample No. 60286-F.)

LIBEL FILED: March 30, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about March 6, 1944, by H. Kittelson from Veblen, S. Dak.

PRODUCT: 33 64-pound cubes of butter at San Francisco, Calif.

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: April 14, 1944. Nye & Nissen, Inc., San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration. The product was returned to the legal standard.

6671. Adulteration of butter. U. S. v. 98 Packages of Butter. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 12794. Sample No. 75607-F.)

LIBEL FILED: May 18, 1944, Northern District of West Virginia.

ALLEGED SHIPMENT: On or about May 11, 1944, by the Quaker City Co-Operative Creamery Co., from Quaker City, Ohio.

PRODUCT: 98 packages, each containing 1 pound, of butter at Wheeling, W. Va.

LABEL, IN PART: "Quaker City Butter."

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), salt water, a substance containing less than 80 percent by weight of milk fat, had been substituted for butter.

DISPOSITION: June 3, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

6672. Adulteration and misbranding of butter. U. S. v. Benson Produce Co. and Howard M. Rose. Pleas of guilty. Fine, \$100. (F. D. C. No. 11371. Sample Nos. 20629-F, 21921-F, 21922-F, 51225-F.)

INFORMATION FILED: On April 10, 1944, in the District of Minnesota, against the Benson Produce Co., a partnership, Benson, Minn., and Howard M. Rose, a member of the partnership.

ALLEGED SHIPMENT: From on or about June 12 to September 4, 1943, from the State of Minnesota into the States of Massachusetts and New York.

LABEL, IN PART: (Wrappers on portion of prints) "Fancy Creamery Butter One Pound Net."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2),

a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding (portions), Section 403 (a), the statement "One Pound Net," borne on the wrappers, was false and misleading since the prints contained less than 1 pound of butter; and, Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: April 10, 1944. Pleas of guilty having been entered, a general fine of \$100 was imposed.

6673. Adulteration and misbranding of butter. U. S. v. Richard F. Daniel, Julia V. Daniel, and Frank R. Daniel (Monroe City Creamery). Pleas of guilty. Each defendant fined \$100. (F. D. C. No. 11359. Sample Nos. 6913-F, 47610-F.)

INFORMATION FILED: On March 15, 1944, in the Eastern District of Missouri, against Richard F. Daniel, Julia V. Daniel, and Frank R. Daniel, partners, trading as the Monroe City Creamery, Monroe City, Mo.

ALLEGED SHIPMENT: On or about September 29 and October 6, 1943, from the State of Missouri into the State of Illinois.

LABEL, IN PART: (Cartons and wrappers) "Swift's Brookfield Butter * * * Distributed by Swift & Company"; (cases) "32 Lbs. Net"; (cartons) "One Pound [or "1 Lb."] Net Weight"; (wrappers) "4 Oz. Net Weight."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2), a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding, Section 403 (a), the statements in the labeling, "32 Lbs. Net," "One Pound [or "1 Lb."] Net Weight," and "4 Oz. Net Weight," were false and misleading since the article contained less than the declared weight; and, Section 403 (e) (2), it was in package form and did not bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: May 22, 1944. Pleas of guilty having been entered, each defendant was fined \$25 on each of 4 counts.

EGGS

6674. Adulteration of dried whole eggs. U. S. v. 20 Barrels of Dried Whole Egg. Default decree of condemnation and destruction. (F. D. C. No. 11834. Sample No. 30219-F.)

LIBEL FILED: February 17, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about October 4 and November 4, 1943, by the Loose-Wiles Biscuit Co., from Long Island City, N. Y.

PRODUCT: 20 150-pound or 125-pound barrels of dried whole eggs at Oakland, Calif.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: May 22, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6675. Adulteration of frozen whole eggs. U. S. v. 60 Cartons of Frozen Whole Eggs. Default decree of condemnation and destruction. (F. D. C. No. 12036. Sample No. 55690-F.)

LIBEL FILED: March 20, 1944, Eastern District of Washington.

ALLEGED SHIPMENT: During January and February 1944, by the Northwest Poultry Co., Portland, Oreg.

PRODUCT: 60 cartons, each containing 30 pounds, of frozen whole eggs at White Bluff, Wash.

LABEL, IN PART: "Oregon Egg Service."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: April 22, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.