

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that was adulterated in that it consisted in whole or in part of a filthy or decomposed substance, Nos. 7578 to 7580; that was below the standard for milk fat content, Nos. 7581 to 7587; and that was short of the declared weight, No. 7588.

7578. Adulteration of butter. U. S. v. 56 Cases of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 15027. Sample Nos. 62355-F, 62356-F.)

LIBEL FILED: November 8, 1944, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about October 26, 1944, by the Jerpe Commission Co., Inc., from Fayetteville, Ark.

PRODUCT: 56 cases, each containing 32 1-pound cartons, of butter at New Orleans, La.

LABEL, IN PART: (Carton) "Clear Brook Creamery Butter Distributed by Wilson."

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

DISPOSITION: January 17, 1945. The Jerpe Commission Company, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for refining into butter oil, under the supervision of the Food and Drug Administration.

7579. Adulteration of butter. U. S. v. 4 70-Pound Cubes of Butter. Default decree of condemnation. Product ordered sold. (F. D. C. No. 13870. Sample No. 61366-F.)

LIBEL FILED: On or about August 16, 1944, Southern District of Texas.

ALLEGED SHIPMENT: On or about July 8, 1944, by the Vinita Dairy Products Co., from Vinita, Okla.

PRODUCT: 4 70-pound cubes of butter, at Houston, Tex.

Examination showed that this product contained mold.

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

DISPOSITION: October 17, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold on condition that it be denatured.

7580. Adulteration of butter. U. S. v. 134 Boxes (8,308 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond for refining into butter oil. (F. D. C. No. 14576. Sample No. 90721-F.)

LIBEL FILED: October 24, 1944, Western District of Kentucky.

ALLEGED SHIPMENT: On or about October 17, 1944, by the Sugar Creek Creamery Co., from Evansville, Ind.

PRODUCT: 134 boxes, each containing 62 pounds, of butter, at Louisville, Ky.

Examination disclosed that the product contained mold.

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

DISPOSITION: November 29, 1944. The Sugar Creek Creamery Co., Danville, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for refining into butter oil, under the supervision of the Food and Drug Administration.

7581. Adulteration of butter. U. S. v. 50 Cartons (approximately 3,200 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 15099. Sample No. 5643-H.)

LIBEL FILED: January 16, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about January 2, 1945, by the Hartley Creamery, Hartley, Iowa.

PRODUCT: 50 cartons, each containing approximately 64 pounds, of butter at New York, N. Y.

LABEL, IN PART: "Butter Distributed by J. O. Marshall Draper-Valley Distributors, Inc. 503 New York, N. Y."

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: January 31, 1945. The Draper Valley Distributors, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked and reprocessed so as to comply with the law, under the supervision of the Food and Drug Administration.

7582. Adulteration of butter. U. S. v. 114 Boxes (approximately 7,296 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14347. Sample No. 82530-F, 82536-F.)

LIBEL FILED: On or about October 7, 1944, Southern District of New York.

ALLEGED SHIPMENT: On or about May 15, 1944, by the Lakeview Dairies, Inc., from Pepin, Wis.

PRODUCT: 114 boxes, each containing approximately 64 pounds, of butter, at New York, N. Y.

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: November 10, 1944. The Penn Blue Ridge Dairies, New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

7583. Adulteration of butter. U. S. v. 86 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 14361. Sample Nos. 88348-F, 88352-F.)

LIBEL FILED: October 13, 1944, District of Massachusetts.

ALLEGED SHIPMENT: On or about September 4 and 7, 1944, by the United Farmers Coop. Creamery Assn., Inc., from Morrisville, Vt.

PRODUCT: 86 tubs, each containing 65 pounds, of butter, at Boston, Mass.

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: November 6, 1944. The United Farmers Coop. Creamery Assn., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

7584. Adulteration of butter. U. S. v. 18 Cases of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14571. Sample Nos. 74983-F, 74984-F.)

LIBEL FILED: On or about October 26, 1944, District of Oregon.

ALLEGED SHIPMENT: On or about September 21 and 27, 1944, by the Nampa Creamery Co., from Nampa, Idaho.

PRODUCT: 18 cases, each containing 60 1-pound prints, of butter at Portland, Oreg.

LABEL, IN PART: (Print) "Butter * * * Riverview Damascus Milk Co. Portland, Ore."

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: January 5, 1945. The Riverview Damascus Milk Co. 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.

7585. Adulteration of butter. U. S. v. 21 Boxes of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14574. Sample No. 87483-F.)

LIBEL FILED: October 27, 1944, Southern District of New York.

ALLEGED SHIPMENT: On or about October 13, 1944, by the Bottineau Cooperative Creamery, Bottineau, N. Dak.

PRODUCT: 21 boxes, each containing approximately 64 pounds, of butter at New York, N. Y.

LABEL, IN PART: "21 4018 * * * George Wittner & Co., Inc. 115 New York."