

**9710. Adulteration of butter. U. S. v. Armour and Co. Plea of nolo contendere. Fine, \$100 and costs. (F. D. C. No. 16544. Sample Nos. 66946-F, 66948-F, 98658-F, 98659-F.)**

**INFORMATION FILED:** September 4, 1945, Western District of Oklahoma, against Armour and Co., a corporation, having places of business at Elk City and Woodward, Okla.

**ALLEGED SHIPMENT:** Between the approximate dates of May 15 and June 29, 1944, from the State of Oklahoma into the State of Missouri.

**LABEL, IN PART:** "Armour's Cloverbloom."

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

**DISPOSITION:** September 18, 1945. A plea of nolo contendere having been entered on behalf of the corporation, a fine of \$100, plus costs, was imposed.

**9711. Adulteration of butter. U. S. v. 17 Cases of Butter (and 2 other seizure actions against butter). Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. Nos. 17104, 17107, 17108. Sample Nos. 11549-H, 11956-H, 11959-H.)**

**LIBELS FILED:** Between July 9 and and July 16, 1945, District of Massachusetts.

**ALLEGED SHIPMENT:** Between the approximate dates of May 10 and June 28, 1945, by the Granite City Cooperative Creamery Association, Inc., from Barre, Vt.

**PRODUCT:** 17 52-pound cases and 14 52-pound cubes of butter at Boston, Mass.

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

**DISPOSITION:** August 10, 1945. The Granite City Cooperative Creamery Association, Inc., claimant, having consented to the entry of a decree, and the cases having been consolidated, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

**9712. Adulteration of butter. U. S. v. 59 30-Pound Cartons of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17099. Sample No. 5770-H.)**

**LIBEL FILED:** July 26, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 12, 1945, by the Leon Creamery Co., from Leon, Iowa.

**PRODUCT:** 59 cartons, each containing 30 1-pound prints, of butter at New York, N. Y.

**LABEL, IN PART:** "Butter Distributed by J. R. Kramer, Inc., New York."

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

**DISPOSITION:** August 22, 1945. J. R. Kramer, 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.

**9713. Adulteration of butter. U. S. v. 12 65-Pound Cartons of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17101. Sample No. 5768-H.)**

**LIBEL FILED:** July 21, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 7, 1945, by the Twin Rivers Co., Inc., from Grand Island, Nebr.

**PRODUCT:** 12 65-pound cartons of butter at New York, N. Y.

**LABEL, IN PART:** "Creamery Butter Distributed by United Creameries Service, Omaha, Nebr. \* \* \* Butter S. & W. Waldbaum Inc. Distributors New York, N. Y."

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

**DISPOSITION:** July 31, 1945. The Callaway Co-op Creamery, Callaway, Nebr., claimant, having admitted the allegations of the libel, judgment of condemna-

tion was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

**9714. Adulteration of butter. U. S. v. 13 64-Pound Cartons of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16678. Sample No. 19044-H.)**

**LIBEL FILED:** June 8, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about May 22, 1945, by the Bowman Creamery Co., from Bowman, N. Dak.

**PRODUCT:** 13 64-pound cartons of butter at New York, N. Y.

**LABEL, IN PART:** "Butter John Doscher & Co. Distributors New York."

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

**DISPOSITION:** June 20, 1945. The Standard Butter and Egg Co., 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.

**9715. Adulteration of butter. U. S. v. 7 Cartons (420 pounds) of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 16675. Sample No. 19242-H.)**

**LIBEL FILED:** June 11, 1945, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about May 31, 1945, by the St. Stephen Coop. Creamery, from St. Stephen, Minn.

**PRODUCT:** 7 60-pound cartons of butter at Philadelphia, Pa.

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

**DISPOSITION:** June 29, 1945. C. G. Heyd and Co., Philadelphia, Pa., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

**9716. Adulteration of butter. U. S. v. 5 Cartons (250 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16681. Sample No. 19014-H.)**

**LIBEL FILED:** April 21, 1945, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about April 11, 1945, by the Farmer's Cooperative Trucking Association, from Wadena, Minn.

**PRODUCT:** 5 50-pound cartons of butter at Philadelphia, Pa.

**LABEL, IN PART:** "Butter Distributed by C. G. Heyd & Co. \* \* \* Phila., Pa."

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

**DISPOSITION:** April 30, 1945. C. G. Heyd & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

**9717. Adulteration and misbranding of butter. U. S. v. 45 Cases and 36 Cases of Butter. Decrees of condemnation. Product ordered released under bond. (F. D. C. No. 16679. Sample Nos. 13139-H, 13142-H, 13144-H.)**

**LIBELS FILED:** On or about June 8, 1945, Western District of Kentucky.

**ALLEGED SHIPMENT:** On or about May 12 and 25, 1945, by the Lanesville Creamery Co., from Lanesville, Ind.

**PRODUCT:** 45 30-pound cases and 36 30-pound cases of butter at Louisville, Ky. Analysis showed that the 45-case lot was deficient in milk fat, and that the 36-case lot was short-weight.

**LABEL, IN PART:** "Autumn Leaf Creamery Butter \* \* \* 1 LB. Net."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), (45-case lot) the article contained less than 80 percent by weight of milk fat.

Misbranding, Section 403 (a), the label statement "1 Lb. Net" was false since the cartons did not contain 1 pound of butter; and, Section 403 (e) (2), the label failed to bear a correct statement of the quantity of the contents.