

**LABEL, IN PART:** "Silverbrook Creamery Butter \* \* \* The Great Atlantic & Pacific Tea Co. New York, N. Y., Packers," or "Creamery Butter Distributed by Schlosser Bros."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted 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:** August 16, 1946. A plea of guilty having been entered on behalf of the defendant, a fine of \$300 was imposed.

**10264. Adulteration and misbranding of butter. U. S. v. 35 Cases of Butter (and 10 other seizure actions against butter). Decrees of condemnation. Portion of product ordered sold for salvage; remainder ordered released under bond.** (F. D. C. Nos. 17365, 17383, 18310, 18315, 18451, 21060, 21063, 21064, 21074, 21077, 21270. Sample Nos. 1479-H, 1480-H, 14014-H, 14016-H, 22988-H, 23113-H, 24814-H, 42638-H, 49064-H, 49225-H, 49279-H, 53288-H, 53289-H.)

**LABELS FILED:** Between the dates of July 28, 1945, and September 3, 1946, Western District of Tennessee, Eastern District of Missouri, Eastern District of Louisiana, Southern District of West Virginia, Eastern District of Kentucky, and the Northern District of Georgia.

**ALLEGED SHIPMENT:** Between the approximate dates of July 3, 1945, and August 19, 1946, by the Sugar Creek Creamery Co., from St. Louis, Mo., Evansville, Ill., Russellville, Ark., Louisville, Ky., and Knoxville, Tenn.

**PRODUCT:** Butter. 35 16-pound cartons at Memphis, Tenn.; 700 62-pound cartons at St. Louis, Mo.; 179 32-pound cartons at New Orleans, La.; 100½ 32-pound cartons at Huntington and Charleston, W. Va.; 23 32-pound cartons at Middlesboro, Ky.; and 4 32-pound cartons at Atlanta, Ga. Examination showed that the product contained mold. The butter in the 16-pound cartons was short-weight.

**LABEL, IN PART:** "Weona Farms Creamery Butter \* \* \* One Pound Net. Packed for Weona Food Stores, Inc., Memphis, Tenn."; "Velva Brand Creamery Butter Distributed by H. G. Hill Stores, New Orleans, La."; "Country Roll [or "Clear Brook"] Creamery Butter \* \* \* Distributor Wilson & Co. \* \* \* Chicago, Ill."; and "Sugar Creek Butter," or "Cudahy's Sunlight Creamery Butter \* \* \* The Cudahy Packing Co. Distributors \* \* \* Chicago, Ill."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy or decomposed animal substance.

Further adulteration, Section 402 (b) (2), (700 62-pound cartons) a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding, Section 403 (a), (35 1-pound cartons) the label statement "One Pound Net" was false and misleading; and, Section 403 (e) (2), the product failed to bear an accurate label statement of the quantity of the contents.

**DISPOSITION:** Between the dates of August 13, 1945, and October 11, 1946. The Sugar Creek Creamery Co., Danville, Ill., having appeared as claimant for the product, with the exception of 1 lot, and having consented to the entry of decrees, and no claimant having appeared for the lot at Middlesboro, judgments of condemnation were entered. The butter for which claims had been entered was ordered released under bond, conditioned that it be converted into butter oil, under the supervision of the Federal Security Agency. The lot of butter at Middlesboro was ordered sold for salvage fat.

**10265. Adulteration of butter. U. S. v. 30 Boxes (1,800 pounds) of Butter (and 3 other seizure actions against butter). Decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 16682, 16683, 17069, 17070. Sample Nos. 20740-H to 20742-H, incl., 20744-H, 20748-H, 20751-H, 20752-H, 20757-H.)

**LABELS FILED:** On or about May 29 and June 6 and 14, 1945, Western District of Missouri.

**ALLEGED SHIPMENT:** Between the approximate dates of April 24 and May 8, 1945, by the Dairy Products Marketing Association, from Enid and El Reno, Okla., and Denison, Tex.

**PRODUCT:** 158 60-pound boxes, 600 65-pound boxes, and 150 35-pound boxes of butter at Kansas City, Mo. Examination disclosed that a portion of the product contained mold and that the remainder was deficient in milk fat.

**LABEL, IN PART:** "Cloverbloom \* \* \* Armour Creameries Distributors Gen'l Office Chicago, Ill.," "Creamery Butter The Peter Fox Sons Co. Distributors Chicago," or "Butter Denison Poultry & Egg Co. Denison Texas."

**NATURE OF CHARGE:** Portion of butter, adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed animal substance; and, remainder, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** June 11 and 23 and August 10, 1945. Armour & Co. having appeared as claimant for 2 of the lots, and the Peter Fox Sons Co. having appeared as claimant for the other lots, judgments of condemnation were entered and the product was ordered released under bond, conditioned that the portion containing mold be converted into butter oil and that the remainder be brought into compliance with the law, under the supervision of the Food and Drug Administration.

**10266. Adulteration of butter. U. S. v. 30 Cases of Butter (and 2 other seizure actions against butter). Consent decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 17364, 18304, 18317. Sample Nos. 12287-H, 14017-H, 22979-H.)

**LABELS FILED:** July 19 and September 19 and 25, 1945, Western District of Tennessee, District of Massachusetts, and Southern District of West Virginia.

**ALLEGED SHIPMENT:** Between the approximate dates of July 2 and September 11, 1945, by Armour Creameries, from Louisville, Ky., Springfield, Mo., and Great Bend, Kans.

**PRODUCT:** 30 cases at Memphis, Tenn., 58 cases at Huntington, W. Va., and 171 cartons at Salem, Mass., each containing 32 pounds of butter. Examination showed that all of the lots contained mold. In addition to mold, the Salem lot contained insect parts, fly fragments, and rodent hairs, and the Memphis lot contained insects and feather fragments.

**LABEL, IN PART:** "Armour's Cloverbloom Butter," or "Springbrook Brand Creamery Butter."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed animal substance.

**DISPOSITION:** August 20, October 26, and November 20, 1945. Armour & Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond, conditioned that the Salem lot be used in the manufacture of soap and that the remaining lots be converted into refined butter oil, under the supervision of the Food and Drug Administration.

**10267. Misbranding of butter. U. S. v. 70 cases (2,240 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 17363. Sample No. 21884-H.)

**LABEL FILED:** August 3, 1945, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about July 23, 1945, by the Sugar Creek Creamery Co., from St. Louis, Mo.

**PRODUCT:** 70 32-pound cases of butter at Memphis, Tenn. Analysis showed that the product was short-weight.

**LABEL, IN PART:** (Carton) "Cudahy's Sunlight Creamery Butter \* \* \* Weight 1 Lb."

**NATURE OF CHARGE:** Misbranding, Sections 403 (a) and (e), the prints did not contain "One pound net," as labeled.

**DISPOSITION:** August 23, 1945. The Sugar Creek Creamery Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for reprinting to the declared weight, under the supervision of the Federal Security Agency.