

12875. Adulteration of butter. U. S. v. 450 Pounds * * * (and 1 other seizure action; 610 pounds, total). (F. D. C. Nos. 23928, 24163. Sample Nos. 83159-H, 19035-K.)

LIBELS FILED: August 19 and October 3, 1947, Eastern District of Kentucky and Southern District of West Virginia.

ALLEGED SHIPMENT: On or about August 13 and September 17, 1947, by the Tri-State Butter Co., from Cincinnati, Ohio.

PRODUCT: Butter. 450 pounds at Newport, Ky., and 5 32-pound cases at Charleston, W. Va.

LABEL, IN PART: "Rich Pasture Creamery Butter," or "Sunnydale Brand Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed the presence of mold mycelia, indicating that the butter had been made from decomposed cream.)

DISPOSITION: September 24, 1947, and February 26, 1948. Default decrees of condemnation. The product was ordered disposed of for fat salvage purposes.

12876. Adulteration of butter. U. S. v. Pickerington Creamery Co., Inc., and Arthur J. Good. Pleas of guilty. Corporation fined \$1,200; Arthur J. Good fined \$400. (F. D. C. No. 23321. Sample Nos. 53726-H, 73700-H.)

INFORMATION FILED: August 7, 1947, Southern District of Ohio, against the Pickerington Creamery Co., Inc., Pickerington, Ohio, and Arthur J. Good, president.

ALLEGED SHIPMENT: On or about February 20 and May 8, 1947, from the State of Ohio into the State of Kentucky.

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 containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: September 26, 1947. Pleas of guilty having been entered on behalf of the defendants, the corporation was fined \$1,200 and the individual was fined \$400.

12877. Adulteration of butter. U. S. v. Elmer R. Schultz (Gateway Farmer Creamery). Plea of guilty. Fine, \$50. (F. D. C. No. 22094. Sample No. 39243-H.)

INFORMATION FILED: June 16, 1947, District of South Dakota, against Elmer R. Schultz, trading as Gateway Farmer Creamery, Eureka, S. Dak.

ALLEGED SHIPMENT: On or about January 29, 1947, from the State of South Dakota into the State of Illinois.

LABEL, IN PART: "Butter * * * The Eureka Creamery Eureka, S. D."

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

DISPOSITION: February 26, 1948. A plea of guilty having been entered, the defendant was fined \$50.

12878. Adulteration of butter. U. S. v. Equity Union Creameries, Inc. Plea of guilty. Fine, \$25 (F. D. C. No. 23285. Sample No. 52276-H.)

INFORMATION FILED: July 14, 1947, District of South Dakota, against the Equity Union Creameries, Inc., Aberdeen, S. Dak.

ALLEGED SHIPMENT: On or about February 11, 1947, from the State of South Dakota into the State of New York.

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

DISPOSITION: April 9, 1948. A plea of guilty having been entered on behalf of the defendant, a fine of \$25 was imposed.