

**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.