

PRAYER OF COMPLAINT: That the defendants show cause why an injunction should not issue enjoining and restraining them from commission of the acts complained of.

DISPOSITION: April 9, 1945. The matter was heard before the court, and a temporary injunction was entered enjoining the defendants from shipping in interstate commerce any food products which had been prepared, packed, and held under insanitary conditions whereby the food may have become contaminated with filth or in any way adulterated within the meaning of the law.

On March 1, 1946, a petition was filed, charging the defendants with contempt of court for violation of the injunction by reason of the shipment on or about August 25 and 27 and September 19 and 22, 1945, of adulterated dairy products which had been prepared, packed, and held under insanitary conditions, from the State of Utah into the States of California and Colorado. The petition also requested that the temporary order of injunction be made permanent. On March 22, 1946, the defendants having admitted the allegations in the petition, the Calder Brothers Co. was fined \$250.

On March 24, 1947, a petition was filed, charging the defendants with contempt of court for further violation of the injunction by reason of the shipment on or about January 20, 22, and 24, 1947, from the State of Utah into the State of Colorado, of adulterated dairy products which had been prepared, packed, and held under insanitary conditions. The petition also requested that the temporary injunction be made permanent. On October 7, 1947, the matter came on for hearing, and the complaint and petitions were dismissed as to the defendants, Hyrum B. Calder, Howard Calder, J. Hamilton Calder, Delbert Shiner, and Thurman Peterson. Thereupon, on behalf of the Calder Brothers Co., Howard Calder admitted violation of the temporary order of injunction, and the court sentenced the company to pay a fine of \$100. The temporary injunction was then ordered dissolved and set aside.

13271. Adulteration of frozen cream. U. S. v. Pine City Dairy Co. and LaVerne C. Hansen. Pleas of guilty. Fine, \$500 on count 1; sentence suspended on count 2 and defendants placed on probation for 3 years. (F. D. C. No. 22067. Sample Nos. 60833-H, 63787-H.)

INFORMATION FILED: June 7, 1947, District of Minnesota, against the Pine City Dairy Co., a partnership, Pine City, Minn., and LaVerne C. Hansen, a partner.

ALLEGED SHIPMENT: On or about June 20 and July 6, 1946, from the State of Minnesota into the States of New Jersey and Pennsylvania.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects, insect fragments, rodent hair fragments, cat hair, cow hairs, unidentified hairs, manure fragments, and nondescript dirt; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 30, 1947. Pleas of guilty having been entered, the defendants were fined \$500 on count 1. Imposition of sentence was suspended on count 2, and the defendants were placed on probation for a period of 3 years.

13272. Adulteration of cream. U. S. v. Zink Produce. Plea of guilty. Fine, \$25. (F. D. C. No. 23600. Sample No. 86004-H.)

INFORMATION FILED: October 28, 1947, District of Kansas, against Zink Produce, a partnership, Larned, Kans.

ALLEGED SHIPMENT: On or about February 20, 1947, from the State of Kansas into the State of Colorado.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent hairs.

DISPOSITION: November 24, 1947. A plea of guilty having been entered, the defendant was fined \$25.

13273. Adulteration of cream. U. S. v. 1 Can * * * (and 3 other seizure actions). (F. D. C. Nos. 25371, 25373, 25518, 25540. Sample Nos. 28369-K, 28381-K, 28534-K, 28553-K.)

LIBELS FILED: Between the approximate dates of June 11 and 28, 1948, District of Colorado.