

16419. Adulteration of butter. U. S. v. Padua Cooperative Creamery Assn.
 Plea of guilty. Fine of \$150 on count 1; imposition of sentence suspended on count 2, and defendant placed on probation for three years.
 (F. D. C. No. 28147. Sample Nos. 24664-K, 44990-K.)

INFORMATION FILED: May 22, 1950, District of Minnesota, against the Padua Cooperative Creamery Assn., Padua, Minn.

ALLEGED VIOLATION: On or about June 10, 1947, the defendant gave to a firm engaged in the business of shipping butter in interstate commerce, at Padua, Minn., a guaranty to the effect that all food products shipped and delivered to the holder of the guaranty would be neither adulterated nor misbranded within the meaning of the law; and, on or about August 23 and 30, 1949, the defendant delivered under the guaranty, at Padua, Minn., quantities of butter that were adulterated.

LABEL, IN PART: (Portion) "Paul Bunyan * * * Bulk Butter."

NATURE OF CHARGE: Adulteration, Section 402(a)(3), the article consisted in part of a filthy substance by reason of the presence of insects, insect fragments, rodent hairs, fly setae, manure fragments, mites, sediment, and feather barbules.

DISPOSITION: August 11, 1950. A plea of guilty having been entered, the court imposed a fine of \$150 on count 1, suspended the imposition of sentence on count 2, and placed the firm on probation for 3 years.

16420. Adulteration of butter. U. S. v. 135 Cartons, etc. (16,128 pounds, total).
 (F. D. C. No. 25831. Sample Nos. 25415-K, 25844-K.)

LIBEL FILED: August 19, 1948, District of Minnesota.

ALLEGED SHIPMENT: On or about July 27 and August 11, 1948, by The Enoch Schultz Creamery, from Bismarck, N. Dak.

PRODUCT: 252 64-pound cartons of butter at St. Paul, Minn.

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

DISPOSITION: April 21, 1949. Enoch Schultz of Bismarck, N. Dak., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be reprocessed under the supervision of the Food and Drug Administration. 3 cartons were found to be fit for human consumption and were released, and the remaining 249 cartons were converted into soap stock.

16421. Adulteration and misbranding of butter. U. S. v. 9 Cartons (540 pounds)
 * * *. (F. D. C. No. 29105. Sample No. 57542-K.)

LIBEL FILED: March 22, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about March 9, 1950, by the Williamstown Butter & Cheese Co., New Hampton, Iowa.

PRODUCT: 9 60-pound cartons of butter at New York, N. Y.

LABEL, IN PART: "Butter Distributed By Zenith-Godley Co. 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.