

**DAIRY PRODUCTS****BUTTER**

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 19116 to 19119; that was below the legal standard for milk fat content, No. 19120; and that was short of the declared weight, No. 19119,

**19116. Adulteration of butter. U. S. v. Beatrice Foods Co. Plea of nolo contendere. Fine of \$2,250 and costs. (F. D. C. No. 31592. Sample No. 33058-L.)**

**LIBEL FILED:** February 27, 1952, Southern District of Iowa, against the Beatrice Foods Co., a corporation, Des Moines, Iowa.

**ALLEGED SHIPMENT:** On or about July 30, 1951, from the State of Iowa into the State of Illinois.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments, fly setae, and mites, and by reason of the use of filthy cream in its preparation.

**DISPOSITION:** May 7, 1952. A plea of nolo contendere having been entered, the defendant was fined \$2,250 and costs.

**19117. Adulteration of butter. U. S. v. Farmers Cooperative Creamery. Plea of guilty. Fine of \$500. (F. D. C. No. 32700. Sample No. 19187-L.)**

**INFORMATION FILED:** April 3, 1952, District of Minnesota, against the Farmers Cooperative Creamery, Hector, Minn.

**ALLEGED VIOLATION:** On September 20, 1940, the defendant gave to a firm engaged in the business of shipping butter in interstate commerce a guaranty to the effect that all food comprising each shipment or delivery made by the defendant to the holder of the guaranty would not be adulterated or misbranded within the meaning of the law. On or about July 18, 1951, the defendant delivered under the guaranty a quantity of butter which was adulterated.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments and manure fragments, and by reason of the use of filth-contaminated cream in the preparation of the product.

**DISPOSITION:** June 16, 1952. A plea of guilty having been entered, the court fined the defendant \$500.

**19118. Adulteration of butter. U. S. v. 36 Cartons \* \* \*. (F. D. C. No. 31687 Sample No. 23460-L.)**

**LIBEL FILED:** August 3, 1951, Northern District of New York.

**ALLEGED SHIPMENT:** On or about June 8 and 22, 1951, by American Dairies, Inc., from Kansas City, Mo.

**PRODUCT:** 36 32-pound cartons of butter at Binghamton, N. Y. Analysis showed that the product contained excessive mold mycelia, indicating the use of decomposed cream.

**LABEL, IN PART:** "Butter \* \* \* Penn Valley \* \* \* Homaid Brands, Inc. 158 Clinton St. Binghamton, New York."