

**LABEL IN PART:** "Creamery Butter Distributed by H. C. Christians Co. Chicago, Ill. \* \* \* Churn No. 60 or 63 19738" or "Creamery Butter Berkshire Foods, Inc. A231. Chicago, Ill."

**LIBELED:** 7-24-59, E. Dist. Ill.

**CHARGE:** 402(b) (2)—when shipped, a substance containing less than 80 percent milk fat, by weight, was substituted for butter.

**DISPOSITION:** 8-17-59. Consent—claimed by Berkshire Foods, Inc., Chicago, Ill., and reworked.

**25952. Butter.** (F.D.C. No. 43489. S. No. 56-231 P.)

**QUANTITY:** 17 64-lb. boxes and 1 40-lb. box at Kansas City, Mo.

**SHIPPED:** On 7-26-59, quantities of cream were shipped from Kinsley, Kans., by Dallas Bowman, and from Benkelman, Nebr., by Floyd Parman, Sr., Frankie C. Lutz, and Marlin Lutz.

**RESULTS OF INVESTIGATION:** The cream which had been shipped as described above was used in the manufacture of the above-mentioned butter.

**LIBELED:** 8-5-59, W. Dist. Mo.

**CHARGE:** 402(a) (3)—when shipped, the cream from which the butter was produced contained a decomposed substance.

**DISPOSITION:** 9-14-59. Consent—claimed by Independent Creamery Co., Kansas City, Mo., and converted into butter oil.

**25953. Butter.** (F.D.C. No. 42422. S. Nos. 32-046/7 P.)

**INFORMATION FILED:** 4-30-59, Dist. Mass., against Whiting Milk Co., a corporation, Charlestown, Mass.

**SHIPPED:** 8-12-58, from Massachusetts to New York.

**CHARGE:** 402(b) (1)—a valuable constituent, milk fat, had been in part omitted from the article when shipped; and 402(b) (2)—a product containing less than 80 percent by weight of milk fat had been substituted in part for butter.

**PLEA:** Guilty.

**DISPOSITION:** 9-11-59. \$100 fine.

**25954. Butter.** (F.D.C. No. 43503. S. Nos. 76-510 P, 76-514 P.)

**QUANTITY:** 20 64-lb. cubes and 26 cases, 23 1-lb. cubes each, at Danville, Ill.

**SHIPPED:** 9-1-59, from Salina, Kans., by Harding Creamery Co.

**LABEL IN PART:** "Butter Distributed by Harding Cream Division Omaha, Nebraska" and "Land O' Sunshine Butter \* \* \* Packed for the Winn Dixie Stores, Inc. General Office—Jacksonville, Florida."

**RESULTS OF INVESTIGATION:** Analysis showed that the butter was made from decomposed cream.

**LIBELED:** On or about 9-30-59, E. Dist. Ill.

**CHARGE:** 402(a) (3)—contained a decomposed substance when shipped.

**DISPOSITION:** 10-14-59. Consent—claimed by Sugar Creek Creamery Co., Danville, Ill., and reworked.

#### MILK

**25955. Nonfat dry milk.** (F.D.C. No. 43093. S. No. 46-921 P.)

**INDICTMENT RETURNED:** 9-14-59, S. Dist. Iowa, against the Exira Creamery Co., a corporation, Exira, Iowa, and Arnold O. Madsen, manager of the corporation's Exira plant.