889. Adulteration of butter. U. S. v. Farmers Cooperative Creamery Association. Plea of guilty. Fine, $50. (F. D. C. No. 921. Sample Nos. 44498-D, 44507-D.)

On January 9, 1940, the United States attorney for the District of Minnesota filed an information against Farmers Cooperative Creamery Association, a corporation, Lake Benton, Minn., alleging shipment on or about August 8 and 16, 1939, from the State of Minnesota into the State of New Jersey of quantities of butter that was adulterated.

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On January 9, 1940, the defendant entered a plea of guilty and the court imposed a fine of $50.

890. Adulteration and misbranding of butter. U. S. v. 8 Cases of Creamery Butter. Decree of destruction entered. (F. D. C. No. 1094. Sample No. 72032-D.)

This product contained an added foreign oil.

On or about November 17, 1939, the United States attorney for the District of Kansas filed a libel against 8 cases, each containing 32 cartons of butter, at Kansas City, Kans., alleging that the article had been shipped in interstate commerce on or about October 20, 1939, by Wilson & Co. from Oklahoma City, Okla.; and charging that it was adulterated and misbranded. It was labeled in part: "Clear Brook Creamery Butter Distributed By Wilson & Co."

The article was alleged to be adulterated in that a substance, a foreign oil, had been substituted wholly or in part for the said article. It was alleged to be misbranded in that the statement "Clear Brook Creamery Butter" was false and misleading, since it was not creamery butter but was an adulterated product.

On January 29, 1940, no claimant having appeared and the court having found that the product was decomposed, spoiled, and unfit for human consumption, on the recommendation by the consignee that it be destroyed the court entered judgment of condemnation and destruction.

CHEESE

891. Misbranding of grated cheese. U. S. v. 8 Dozen Packages of Grated Cheese. Consent decree of condemnation and forfeiture. Product delivered to a charitable institution. (F. D. C. No. 995. Sample No. 71110-D.)

This product was found to be short of the declared weight, and it occupied only 57 percent of the capacity of the containers.

On November 17, 1939, the United States attorney for the District of Colorado filed a libel against 8 dozen packages of grated cheese at Denver, Colo., consigned by Ehrat Cheese Co., alleging that the article had been shipped in interstate commerce on or about October 13 and October 24, 1939, from Chicago, Ill., and charging that it was misbranded. It was labeled in part: "Riviera Parmesan Cheese Grated."

The article was alleged to be misbranded in that the statement "Net Weight 8 oz. when packed," borne on the label, was false and misleading since the said statement was incorrect; in that its container was so made, formed, or filled as to be misleading; and in that it was in package form and did not bear an accurate statement of the quantity of the contents.

On December 20, 1939, a consent decree of condemnation and forfeiture was entered, and the cheese was ordered delivered to a charitable institution.

CREAM

892. Adulteration of cream. U. S. v. One 5-Gallon Can and Two 10-Gallon Cans of Cream. Consent decrees of condemnation and destruction. (F. D. C. Nos. 1723, 1773. Sample Nos. 6406-E, 6408-E.)

This product was filthy and decomposed.

On March 8 and March 13, 1940, the United States attorney for the District of Colorado filed libels against one 5-gallon can and two 10-gallon cans of cream at Denver, Colo., alleging that the article had been shipped in interstate commerce on or about March 7, 8, and 10, 1940, in various consignments, by Harold Clements, from Arapahoe, Nebr.; Harold Hecker, from Sidney, Nebr.; and E. E. De Hut, from Orleans, Nebr.; and charging that it was adulterated