27945. Butter. (F.D.C. No. 44645. S. Nos. 33-906/07 R.)

INFORMATION FILED: 1-24-61, E. Dist. N.Y., against Superior Farms Creamery, Inc., Brooklyn, N.Y., and Beno Bazar, vice president.

ALLEGED VIOLATION: On 3-10-60, while the article was being held for sale after shipment in interstate commerce, the defendants caused a quantity of water to be added to the article which was cut into prints, and labeled in part "8 Oz. Net Sweet Ehmer Churned Fresh Farm Butter Grade A Dist. by Ehmer's Pork Stores * * * Packed by Superior Farms Creamery, Inc.," which resulted in the article being adulterated.

CHARGE: 402(b)(2)—water had been substituted in part for butter; and 402(b)(4)—water had been added to and mixed and packed with the article so as to increase its bulk and weight, and to reduce its quality and strength, and to make it appear better and of greater value than it was.

PLEA: Guilty.

DISPOSITION: 11-30-61. Corporation fined $750; individual fined $1.

27946. Whipped butter. (F.D.C. No. 43773. S. No. 5-430 T.)

QUANTITY: 75 cases, 48 ctns. each, at Brentwood, Md.

SHIPPED: 5-7-62, from Sioux City, Iowa, by Hanford Produce Co., a Div. of Swift & Co.

LABEL IN PART: (Ctn.) Gottlieb's Whipped Butter Sweet Net Wt. 8 Oz. Distributed by Harry Gottlieb Inc. Baltimore & Washington."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 5-11-62, Dist. Md.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 5-31-62. Consent—claimed by Swift & Co., and released under bond for reprocessing into butter oil.

FISH AND SHELLFISH

27947. Frozen flounder fillets. (F.D.C. No. 47427. S. No. 41-389 T.)

QUANTITY: 141 cases, each containing 10 ctns. of cellophane-wrapped fish fillets, at Newark, N.J.

SHIPPED: 3-14-62, from Chicago, Ill., by Pick-Shapiro Fisheries, Inc.

LABEL IN PART: (Ctn.) "UMF Brand Frozen Fillets Flounder 5 Pounds Net United Maritime Fisherman Ltd.—Halifax, Nova Scotia, Canada A product of Canada" and (fillets) "UMF Brand Frozen Flounder Fillets To be Weighed at time of sale * * * United Maritime Fishermen Ltd. 210 Roy Bldg., Halifax, Nova Scotia."

LIBELED: 4-10-62, Dist., N.J.

CHARGE: 402(a)(3)—contained decomposed fish fillets when shipped.

DISPOSITION: 5-14-62. Default—destruction.

27948. Frozen haddock fillets. (F.D.C. No. 46480. S. Nos. 6-906/7 T.)

QUANTITY: 45 cases, 10 5-lb. ctns. each, and 47 cases, 5 10-lb. ctns. each, at Boston, Mass.