DISPOSITION: July 20, 1945. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $150 on each of the 7 counts, a total fine of $1,050.

8860. Adulteration of butter. U. S. v. 17 Cartons (544 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 10475. Sample No. 38912–F.)

LIBEL FILED: On or about July 22, 1943, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 6, 1943, by the Clinton Pure Butter Co., from Clinton, Iowa.

PRODUCT: 17 32-pound cartons of butter at Chicago, Ill.

LABEL, IN PART: "Creamery Butter Distributed by Dauber Bros. Chicago."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy or decomposed animal substance.

DISPOSITION: July 22, 1943. Dauber Bros., claimant, having admitted the facts of the libel, judgment of condemnation was entered and the product was ordered released under bond for purification and conversion into butter oil under the supervision of the Food and Drug Administration.

8861. Adulteration of butter and turkeys. U. S. v. Oliver G. Harp (O. G. Harp Poultry & Egg Co.). Plea of guilty to count 1 and not guilty to count 2. Tried to the court. Verdict of not guilty on count 2; fine of $1,000 on count 1. (F. D. C. No. 5568. Sample Nos. 31633–E, 46675–E.)

INDICTMENT RETURNED: April 9, 1942, Western District of Oklahoma, against Oliver G. Harp, trading as the O. G. Harp Poultry & Egg Co., Shawnee, Okla.

ALLEGED SHIPMENT: On or about November 1, 1940, and January 9, 1941, from the State of Oklahoma into the States of New York and Illinois.

LABEL, IN PART: "Medium Turkeys," or "Creamery Butter The Peter Fox Sons Co. * * * Chicago, Ill."

NATURE OF CHARGE: Count 1, turkeys, adulteration, Section 402 (a) (5), the article was in whole or in part the product of diseased poultry.

Count 2, butter, adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the product; and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: November 28, 1942. Pleas of guilty to the first count and not guilty to the second count having been entered, the second count was tried to the court and the defendant was found not guilty on that count. The defendant was fined $1,000 for the violation charged in the first count.

8862. Adulteration of butter. U. S. v. Dently D. Sorensen (Sorensen Creameries). Plea of guilty. Fine, $1,000. (F. D. C. No. 15512. Sample No. 87397–F.)

INFORMATION FILED: April 4, 1945, District of South Dakota, against Dently D. Sorensen, trading under the firm name Sorensen Creameries, Big Stone City, S. Dak.

ALLEGED SHIPMENT: On or about November 18, 1944, from the State of South Dakota into the State of Ohio.

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

DISPOSITION: April 12, 1945. The defendant having entered a plea of guilty, the court imposed a fine of $1,000.

8863. Adulteration of butter. U. S. v. Pickerington Creamery, Inc. Plea of guilty. Fine, $200. (F. D. C. No. 15493. Sample Nos. 67590–F, 68596–F.)

INFORMATION FILED: April 9, 1945, Southern District of Ohio, against the Pickerington Creamery, Inc., Pickerington, Ohio.

ALLEGED SHIPMENT: On or about June 6 and September 12, 1944, from the State of Ohio into the State of Kentucky.

LABEL, IN PART: (Portion) "Mayflower Creamery Butter."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2),