the Birmingham and Montgomery lots which contained mold, judgments of condemnation were entered. It was ordered that the Minneapolis lot be released under bond for reworking under the supervision of the Federal Security Agency; that the other two lots be sold; that the Birmingham lot be used in the manufacture of fats; and that the Montgomery lot be denatured.

11570. Adulteration and misbranding of butter. U. S. v. 39 Cartons, etc. (F. D. C. Nos. 21071, 22675. Sample Nos. 42644–H, 53724–H.)

LIBELS FILED: August 12, 1946, Southern District of West Virginia, and February 10, 1947, Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about August 1, 1946, and February 5, 1947, by the Merchants Creamery Co., from Cincinnati, Ohio.

PRODUCT: 39 cartons, each containing 20 1-pound rolls, of butter at Charleston, W. Va., and 36 32-pound cases of butter at Covington, Kentucky. Examination showed that the Charleston lot contained mold and that the Covington lot was short-weight.

LABEL, IN PART: (Wrappers, Charleston lot) "Krogers Country Club Quality Roll Creamery Butter One Pound Net Weight Packed for the Kroger Grocery & Baking Co."; (Covington lot) "4 Oz. Net * * * Dairy Brand Creamery Butter."

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

Covington lot. Misbranding, Section 403 (a), the label of the article failed to bear a correct statement of the quantity of the contents.

DISPOSITION: November 19, 1946, and March 7, 1947. The Merchants Creamery Co., claimant, having consented to the entry of decrees in both cases, judgments of condemnation were entered and the product was ordered released under bond. It was ordered that the Charleston lot be converted into butter oil and that the Covington lot be reprinted to the correct weight, both operations to be supervised by the Food and Drug Administration.

11571. Adulteration of butter. U. S. v. The Hartley Creamery and Abel Anderson. Pleas of guilty. Fines of $150 against each defendant, plus costs. (F. D. C. No. 20918. Sample Nos. 63718–H, 63719–H.)

INFORMATION FILED: September 17, 1946, Northern District of Iowa, against the Hartley Creamery, a partnership, Hartley, Iowa, and Abel Anderson, a partner.

ALLEGED SHIPMENT: On or about May 13 and 17, 1946, from the State of Iowa into the State of New York.

LABEL, IN PART: "Creamery Butter Distributed By Bender Goodman Co. Inc. New York."

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), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: January 28, 1947. Pleas of guilty having been entered on behalf of both defendants, the court imposed a fine of $75 on each count against each defendant, a total fine of $300, plus costs.

11572. Adulteration of butter. U. S. v. Beatrice Creamery Co. Plea of nolo contendere. Fine, $200 and costs. (F. D. C. No. 20445. Sample Nos. 20879–H, 20880–H.)

INFORMATION FILED: July 12, 1946, District of Kansas, against the Beatrice Creamery Co., a corporation, Topeka, Kans.

ALLEGED SHIPMENT: On or about February 20, 1946, from the State of Kansas into the State of Missouri.

LABEL, IN PART: "Meadow Gold Butter."

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

DISPOSITION: October 7, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $100 on each count, a total fine of $200, plus costs.