

196. Adulteration of rice. U. S. v. 15 Bags and 117 Bags of Rice. Decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 1212, 1213. Sample Nos. 83406-D, 83407-D.)

On December 19, 1939, the United States attorney for the Western District of Washington filed a libel against 132 bags of rice at Seattle, Wash., alleging that the article had been shipped on or about August 25, 1939, by United Rice Milling Products Co., Inc., from New Orleans, La.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On January 9, 1940, American Wholesale Grocery Co., Seattle, Wash., having appeared as claimant, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be utilized as animal food and not sold or disposed of contrary to law.

DAIRY PRODUCTS

BUTTER

Nos. 197 to 209 of this publication report the seizure and disposition of butter which contained less than 80 percent by weight of milk fat. (The act of Congress defining butter and providing a standard therefor, which is made applicable to the provisions of this act, requires that butter shall contain not less than 80 percent by weight of milk fat.)

197. Adulteration of butter. U. S. v. 60 Cartons of Butter. Decree of condemnation. Product released to claimant under bond. (F. D. C. No. 1378. Sample No. 85834-D.)

On January 5, 1940, the United States attorney for the Southern District of New York filed a libel against 60 cartons, each containing approximately 60 pounds of butter, at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about December 26, 1939, by Barrett Creamery from Barrett, Minn.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On January 18, 1940, the Barrett Co-operative Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked so that it contain at least 80 percent of milk fat.

198. Adulteration and misbranding of butter. U. S. v. 75 Tubs and 49 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 532, 565. Sample Nos. 44498-D, 44507-D.)

On August 21 and 31, 1939, the United States attorney for the District of New Jersey filed libels against 124 tubs of butter at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about August 12 and 16, 1939, by Farmers Cooperative Creamery Co. from Lake Benton, Minn.; and charging that it was adulterated and misbranded.

It was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

It was alleged to be misbranded in that the statement "Butter," borne on the label, was false and misleading; in that a product which contained less than 80 percent by weight of milk fat had been offered for sale under the name of butter; and in that it was an imitation of butter and the word "imitation" did not appear on the label in conjunction with the word "Butter."

On October 7, 1939, Gude & Cole, Inc., Newark, N. J., having appeared as claimant and the cases having been consolidated, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked so that it contain at least 80 percent butterfat.

199. Adulteration of butter. U. S. v. David D. Sorensen (Sorensen Creamery). Plea of guilty. Fine, \$100. (F. D. C. No. 927. Sample Nos. 67723-D, 67728-D.)

On January 11, 1940, the United States attorney for the District of South Dakota filed in the district court an information against David D. Sorensen, trading as Sorensen Creamery, Big Stone City, S. Dak., alleging shipment by said defendant on or about August 10 and 13, 1939, from the State of South Dakota into the State of New York of quantities of butter which was adulterated in that a valuable constituent, milk fat, had been in part omitted from it, and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On January 17, 1940, the defendant entered a plea of guilty and the court imposed a fine of \$50 on each of the 2 counts.