

MISCELLANEOUS DAIRY PRODUCTS

5177. Adulteration of cream. U. S. v. 5 10-Gallon Cans of Cream (and 10 additional seizure actions against cream). Consent decrees of condemnation. Product ordered churned and the fat salvaged for war purposes. (F. D. C. Nos. 9969 to 9979, incl. Sample Nos. 15269-F, 15272-F, 15274-F, 15276-F, 15280-F, 15974-F to 15977-F, incl., 15981-F, 15987-F, 15988-F, 36028-F, 36032-F, 36035-F, 36039-F, 36040-F, 36042-F, 36102-F, 36103-F, 36107-F, 36109-F, 36116-F, 36118-F to 36120-F, incl.)

On April 5 and 8, 1943, the United States attorney for the District of Colorado filed 11 libels against a total of 52 10-gallon cans of cream at Denver, Colo., alleging that the article had been shipped in interstate commerce within the period from on or about March 26 to April 1, 1943, in various quantities by the St. Francis Equity Creamery Co., from St. Francis, Kans.; Kittle Bros., from Maxwell, Nebr.; L. M. Strickler, from Wheatland, Wyo.; the Bird City Produce Co., from Bird City, Kans.; A. L. Bangert, from Big Springs, Nebr.; E. Cords, from Potter, Nebr.; Martin Nielsen, from Grant, Nebr.; C. W. Altig, from Imperial, Nebr.; Hansie Johnson, from Champion, Nebr.; Wendell Hobson, from Wheatland, Wyo.; Bessie Knight, from Benkelman, Nebr.; E. J. Meehan, from Sidney, Nebr.; Mattie Rose, from Madrid, Nebr.; Esther Ungles, from Trenton, Nebr.; the Cooperative Union Mercantile Co., from Blackwolf, Kans.; Fred J. Toll, from Sharon Springs, Kans.; Bert Smith, from York, Nebr.; Ed Lothrop, from Goodland, Kans.; Frank Kalous, from Sumner, Nebr.; the Klein Produce Co., from Goodland, Kans.; Ray E. Stires, from Atwood, Kans.; and John Merrill, from Ogallala, Nebr. The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 5 and 8, 1943, the consignees having consented to the entry of decrees, judgments of condemnation were entered and it was ordered that the United States marshal have the cream churned and sold for its fat content and disposed of for war purposes.

5178. Adulteration of ice cream. U. S. v. Beatrice Creamery Co. (Meadow Gold Dairies). Plea of guilty. Fine, \$3,000. (F. D. C. No. 9650. Sample Nos. 15782-F to 15784-F, incl., 15938-F, 36004-F, 36006-F.)

This product contained insect fragments, rodent hair fragments, feather barbules, and hair fragments resembling rodent or cat hairs.

On June 9, 1943, the United States attorney for the District of Colorado filed an information against the Beatrice Creamery Co., a corporation, trading at Denver, Colo., under the name Meadow Gold Dairies, alleging shipment within the period from on or about February 19 to 22, 1943, from the State of Colorado into the States of Wyoming and Kansas of quantities of ice cream that was adulterated in that it consisted in whole or in part of filthy substances, and in that it had been prepared under insanitary conditions whereby it may have become contaminated with filth. A portion of the article was labeled in part: "Smooth-Freeze Meadow Gold Ice Cream."

On June 19, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$750 on each of the 4 counts contained in the information, a total of \$3,000.

5179. Adulteration of an article labeled in part "Victory Spread." U. S. v. 4 cartons of an article labeled in part "Victory Spread" (and 3 additional seizure actions against "Victory Spread"). Default decrees of condemnation. One lot ordered destroyed; remaining lots ordered delivered to soap factories for salvaging for industrial uses. (F. D. C. Nos. 9705, 9726, 9727, 9736. Sample Nos. 17444-F, 20207-F, 44933-F, 44934-F.)

Within the period from March 12 to 20, 1943, the United States attorneys for the District of Massachusetts and the District of New Jersey filed libels against the following 16-pound cartons of Victory Spread: 4 cartons at Somerville, Mass., 9½ cartons at Union City, N. J., 8 cartons at Passaic, N. J., and 8 cartons at Bayonne, N. J. It was alleged that the article had been shipped in interstate commerce on or about March 3 and 5, 1943, by Breakstone Bros., Inc., from New York, N. Y.; and charged that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, and in that water and air had been added thereto or mixed therewith so as to increase its bulk or weight, reduce its quality, or make it appear better or of greater value than it was. The article was labeled in part: "Breakstone's Victory Spread Ingredients: A-Delicious Dairy Product containing butter fat 70%, Moisture 29%, Milk Solids 1%."