

PRODUCT: 21 cases, each containing 24 1-pound jars, of chocolate sirup at Mc-Kees Rocks, Pa. Examination showed that the product was moldy.

LABEL, IN PART: "Alexander The Great Chocolate Flavored Syrup".

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

DISPOSITION: October 19, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that was adulterated in that it consisted in whole or in part of a filthy or decomposed substance, or both, Nos. 10264 to 10266; that was below the standard for milk fat content, Nos. 10261 to 10265; and that was short of the declared weight, Nos. 10264 and 10267.

10261. Adulteration of butter. U. S. v. Oliver Gordon Harp (O. G. Harp Poultry & Egg Co.). Pleas of nolo contendere to certain counts and not guilty to remaining counts. Tried to the court. Defendant found guilty on all but 1 count. Fine, \$150. (F. D. C. No. 17845. Sample Nos. 90178-F, 90179-F, 90181-F, 5698-H to 5700-H, incl., 7048-H, 7060-H, 7061-H, 7074-H.)

INFORMATION FILED: April 17, 1946, Western District of Oklahoma, against Oliver Gordon Harp, trading as the O. G. Harp Poultry & Egg Co., Shawnee, Okla.

ALLEGED SHIPMENT: On or about July 26 and August 14 and 16, 1944, from Oklahoma to Arkansas; and on or about Feb. 1, 8, and 17 and March 3, 1945, from Oklahoma to New York.

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

DISPOSITION: April 17, 1946. The defendant entered a plea of nolo contendere to the first 4 counts of the information and not guilty to the last 3 counts. The counts to which the defendant pleaded not guilty were tried to the court. The judgment of the court was that the defendant was guilty on all counts to which he had pleaded nolo contendere and on 2 of the counts to which he had pleaded not guilty. A fine of \$150 was imposed.

10262. Adulteration of butter. U. S. v. Arthur H. Dannheim and Donald A. Dannheim (New Ulm Dairy). Pleas of guilty. Fine, \$100. (F. D. C. No. 16621. Sample Nos. 5666-H, 7059-H, 18849-H.)

INFORMATION FILED: January 15, 1946, District of Minnesota, against Arthur H. Dannheim and Donald A. Dannheim, trading as the New Ulm Dairy, a partnership, New Ulm, Minn.

ALLEGED SHIPMENT: On or about February 17 and May 4, 1945, from the State of Minnesota into the State of New York.

LABEL, IN PART: "Butter Distributed by F. F. Lowenfels & Son New York."

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: January 15, 1946. A plea of guilty having been entered, a single general fine of \$100 was imposed against both of the defendants and the partnership.

10263. Adulteration of butter. U. S. v. Schlosser Brothers, Inc. Plea of guilty. Fine, \$300. (F. D. C. No. 16585. Sample Nos. 68023-F, 20119-H, 20120-H, 27321-H, 27322-H.)

INFORMATION FILED: July 16, 1946, Southern District of Indiana, against Schlosser Brothers, Inc., Indianapolis, Ind.

ALLEGED SHIPMENT: On or about May 24, September 28, and October 10, 1944, from the State of Indiana into the States of Ohio and Missouri.