

**LABEL, IN PART:** "Silverbrook Creamery Butter \* \* \* The Great Atlantic & Pacific Tea Co. New York, N. Y., Packers," or "Creamery Butter Distributed by Schlosser Bros."

**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 which contained less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** August 16, 1946. A plea of guilty having been entered on behalf of the defendant, a fine of \$300 was imposed.

**10264. Adulteration and misbranding of butter. U. S. v. 35 Cases of Butter (and 10 other seizure actions against butter). Decrees of condemnation. Portion of product ordered sold for salvage; remainder ordered released under bond.** (F. D. C. Nos. 17365, 17383, 18310, 18315, 18451, 21060, 21063, 21064, 21074, 21077, 21270. Sample Nos. 1479-H, 1480-H, 14014-H, 14016-H, 22988-H, 23113-H, 24814-H, 42638-H, 49064-H, 49225-H, 49279-H, 53288-H, 53289-H.)

**LABELS FILED:** Between the dates of July 28, 1945, and September 3, 1946, Western District of Tennessee, Eastern District of Missouri, Eastern District of Louisiana, Southern District of West Virginia, Eastern District of Kentucky, and the Northern District of Georgia.

**ALLEGED SHIPMENT:** Between the approximate dates of July 3, 1945, and August 19, 1946, by the Sugar Creek Creamery Co., from St. Louis, Mo., Evansville, Ill., Russellville, Ark., Louisville, Ky., and Knoxville, Tenn.

**PRODUCT:** Butter. 35 16-pound cartons at Memphis, Tenn.; 700 62-pound cartons at St. Louis, Mo.; 179 32-pound cartons at New Orleans, La.; 100½ 32-pound cartons at Huntington and Charleston, W. Va.; 23 32-pound cartons at Middlesboro, Ky.; and 4 32-pound cartons at Atlanta, Ga. Examination showed that the product contained mold. The butter in the 16-pound cartons was short-weight.

**LABEL, IN PART:** "Weona Farms Creamery Butter \* \* \* One Pound Net. Packed for Weona Food Stores, Inc., Memphis, Tenn."; "Velva Brand Creamery Butter Distributed by H. G. Hill Stores, New Orleans, La."; "Country Roll [or "Clear Brook"] Creamery Butter \* \* \* Distributor Wilson & Co. \* \* \* Chicago, Ill."; and "Sugar Creek Butter," or "Cudahy's Sunlight Creamery Butter \* \* \* The Cudahy Packing Co. Distributors \* \* \* Chicago, Ill."

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

Further adulteration, Section 402 (b) (2), (700 62-pound cartons) a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding, Section 403 (a), (35 1-pound cartons) the label statement "One Pound Net" was false and misleading; and, Section 403 (e) (2), the product failed to bear an accurate label statement of the quantity of the contents.

**DISPOSITION:** Between the dates of August 13, 1945, and October 11, 1946. The Sugar Creek Creamery Co., Danville, Ill., having appeared as claimant for the product, with the exception of 1 lot, and having consented to the entry of decrees, and no claimant having appeared for the lot at Middlesboro, judgments of condemnation were entered. The butter for which claims had been entered was ordered released under bond, conditioned that it be converted into butter oil, under the supervision of the Federal Security Agency. The lot of butter at Middlesboro was ordered sold for salvage fat.

**10265. Adulteration of butter. U. S. v. 30 Boxes (1,800 pounds) of Butter (and 3 other seizure actions against butter). Decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 16682, 16683, 17069, 17070. Sample Nos. 20740-H to 20742-H, incl., 20744-H, 20748-H, 20751-H, 20752-H, 20757-H.)

**LABELS FILED:** On or about May 29 and June 6 and 14, 1945, Western District of Missouri.

**ALLEGED SHIPMENT:** Between the approximate dates of April 24 and May 8, 1945, by the Dairy Products Marketing Association, from Enid and El Reno, Okla., and Denison, Tex.