

product containing less than 80 percent by weight of milk fat had been substituted for butter. (Analysis disclosed that the product was low in butter fat and was made from decomposed cream.)

**DISPOSITION:** February 10, 1950. The Peter Fox Sons Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. 117 cartons were found to be in compliance with the law and were released; 52 cartons were reworked to the legal standard of 80 percent of milk fat; and 149 cartons were converted into butter oil.

**16315. Adulteration of butter. U. S. v. 7 Cases \* \* \*. (F. D. C. No. 29002. Sample No. 51685-K.)**

**LIBEL FILED:** August 18, 1949, Southern District of West Virginia.

**ALLEGED SHIPMENT:** On or about August 1, 1949, by the Merchants Creamery Co., from Cincinnati, Ohio.

**PRODUCT:** 7 cases, each containing 32 pounds, of butter at Charleston, W. Va.

**LABEL, IN PART:** "Rose Brand Creamery Butter."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy or decomposed substance; and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter. (Analysis disclosed that the butter was deficient in milk fat and contained mold mycelia, insect fragments, moth scales, and mites.)

**DISPOSITION:** November 18 and December 19, 1949. Default decree of condemnation. The court ordered that the product be denatured and sold by the marshal. No offer having been made for the product, the court ordered that it be delivered to a Federal institution, for use as animal feed.

**16316. Adulteration of butter. U. S. v. Arkansas City Co-Operative Milk Assn., Inc., and Carl Fitzgerald. Pleas of guilty. Corporation fined \$1,000 and individual defendant \$100 plus costs. (F. D. C. No. 29133. Sample Nos. 42157-K, 60319-K, 60332-K.)**

**INFORMATION FILED:** March 29, 1950, District of Kansas, against Arkansas City Co-Operative Milk Assn., Inc., Arkansas City, Kans., and Carl Fitzgerald, manager.

**ALLEGED SHIPMENT:** On or about June 1, 1949, from the State of Kansas into the State of Illinois.

**LABEL, IN PART:** "Creamery Butter The Peter Fox Sons Co. Distributors."

**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:** May 9, 1950. Pleas of guilty having been entered, the court fined the corporation \$1,000 and the individual defendant \$100, plus costs.

**16317. Adulteration of butter. U. S. v. Ole O. Nyflot (Strandquist Creamery). Plea of guilty. Fine, \$100. (F. D. C. No. 29141. Sample No. 75904-K.)**

**INFORMATION FILED:** April 21, 1950, District of Minnesota, against Ole O. Nyflot, trading as Strandquist Creamery, Strandquist, Minn.

**ALLEGED SHIPMENT:** On or about January 27, 1950, from the State of Minnesota into the State of New York.