

LABEL IN PART: "Creamery Butter Distributed by H. C. Christians Co. Chicago, Ill. * * * Churn No. 60 or 63 19738" or "Creamery Butter Berkshire Foods, Inc. A231. Chicago, Ill."

LIBELED: 7-24-59, E. Dist. Ill.

CHARGE: 402(b) (2)—when shipped, a substance containing less than 80 percent milk fat, by weight, was substituted for butter.

DISPOSITION: 8-17-59. Consent—claimed by Berkshire Foods, Inc., Chicago, Ill., and reworked.

25952. Butter. (F.D.C. No. 43489. S. No. 56-231 P.)

QUANTITY: 17 64-lb. boxes and 1 40-lb. box at Kansas City, Mo.

SHIPPED: On 7-26-59, quantities of cream were shipped from Kinsley, Kans., by Dallas Bowman, and from Benkelman, Nebr., by Floyd Parman, Sr., Frankie C. Lutz, and Marlin Lutz.

RESULTS OF INVESTIGATION: The cream which had been shipped as described above was used in the manufacture of the above-mentioned butter.

LIBELED: 8-5-59, W. Dist. Mo.

CHARGE: 402(a) (3)—when shipped, the cream from which the butter was produced contained a decomposed substance.

DISPOSITION: 9-14-59. Consent—claimed by Independent Creamery Co., Kansas City, Mo., and converted into butter oil.

25953. Butter. (F.D.C. No. 42422. S. Nos. 32-046/7 P.)

INFORMATION FILED: 4-30-59, Dist. Mass., against Whiting Milk Co., a corporation, Charlestown, Mass.

SHIPPED: 8-12-58, from Massachusetts to New York.

CHARGE: 402(b) (1)—a valuable constituent, milk fat, had been in part omitted from the article when shipped; and 402(b) (2)—a product containing less than 80 percent by weight of milk fat had been substituted in part for butter.

PLEA: Guilty.

DISPOSITION: 9-11-59. \$100 fine.

25954. Butter. (F.D.C. No. 43503. S. Nos. 76-510 P, 76-514 P.)

QUANTITY: 20 64-lb. cubes and 26 cases, 23 1-lb. cubes each, at Danville, Ill.

SHIPPED: 9-1-59, from Salina, Kans., by Harding Creamery Co.

LABEL IN PART: "Butter Distributed by Harding Cream Division Omaha, Nebraska" and "Land O' Sunshine Butter * * * Packed for the Winn Dixie Stores, Inc. General Office—Jacksonville, Florida."

RESULTS OF INVESTIGATION: Analysis showed that the butter was made from decomposed cream.

LIBELED: On or about 9-30-59, E. Dist. Ill.

CHARGE: 402(a) (3)—contained a decomposed substance when shipped.

DISPOSITION: 10-14-59. Consent—claimed by Sugar Creek Creamery Co., Danville, Ill., and reworked.

MILK

25955. Nonfat dry milk. (F.D.C. No. 43093. S. No. 46-921 P.)

INDICTMENT RETURNED: 9-14-59, S. Dist. Iowa, against the Exira Creamery Co., a corporation, Exira, Iowa, and Arnold O. Madsen, manager of the corporation's Exira plant.

SHIPPED: 8-16-58, from Iowa to Illinois.

CHARGE: 402(a)(3)—the article contained insect fragments, and filthy milk had been used in the preparation of the article; 403(e)—the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; and 403(i)(1)—the label of the article failed to bear the common or usual name of the article.

PLEA: Guilty.

DISPOSITION: 9-29-59. Corporation fined \$200. Individual given a sentence of imprisonment for 1 year which was suspended and he was placed on probation for 1 year.

FISH AND SHELLFISH

25956. Fresh whitefish. (F.D.C. No. 42134. S. No. 11-727 P.)

QUANTITY: 3 60-lb. boxes and 2 50-lb. boxes at Detroit, Mich.

SHIPPED: 9-23-58, from Winnipeg, Canada, by Irving I. Snider.

LABEL IN PART: "Manitoba Shoal Lake DSD Whites Medium."

LIBELED: 10-6-58, E. Dist. Mich.

CHARGE: 402(a)(3)—contained parasitic cysts when shipped.

DISPOSITION: 11-6-58. Default—destruction.

25957. Dressed whitefish. (F.D.C. No. 43284. S. No. 62-975 P.)

QUANTITY: 18 60-lb. boxes at Chicago, Ill.

SHIPPED: 6-16-59, from Meadow Lake, Canada, by Clark Fisheries.

LABEL IN PART: "Dressed Medium Whites * * * Product of Canada * * * Clark Fisheries Meadow Lake * * * Dore Lake Sask."

LIBELED: 6-29-59, N. Dist. Ill.

CHARGE: 402(a)(3)—contained parasitic cysts when shipped.

DISPOSITION: 10-8-59. Consent—claimed by Walter's Union Market, Inc., Chicago, Ill., and exported to original foreign supplier in Canada.

25958. Dressed whitefish. (F.D.C. No. 42948. S. Nos. 13-776/7 P.)

QUANTITY: 14 60-lb. boxes at Detroit, Mich.

SHIPPED: 3-8-59, from Winnipeg, Canada, by Canadian Fish Producers, Ltd.

LABEL IN PART: "Product of Canada Canadian Fish Producers Ltd. Winnipeg, Man. 60 Med. Dr. Whites [or "Lge Dr. Whites"] Stevenson Lake Manitoba."

LIBELED: On or about 3-24-59, E. Dist. Mich.

CHARGE: 402(a)(3)—contained parasitic cysts when shipped.

DISPOSITION: 9-22-59. Consent—claimed by Max Halpern, t/a Standard Fish Distributors, Detroit, Mich., and exported to Canada.

25959. Frozen dressed whitefish. (F.D.C. No. 43286. S. Nos. 62-429/30 P.)

QUANTITY: 15 50-lb. boxes of jumbo-size whitefish and 20 60-lb. boxes of medium-size whitefish at Chicago, Ill.

SHIPPED: 6-17-59, from Winnipeg, Canada, by Canadian Fish Producers, Ltd.

LABEL IN PART: "Canadian Fish Producers, Ltd., Winnipeg, Man. * * * 50 JBO Dr. Whites Island Lake Manitoba 3332 [or "Island Lake Med Drsd. Whites"]."