Kans.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On June 3, 1943, O. Casperson & Sons, a co-partnership, San Francisco, Calif., having appeared as claimants, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.

5165. Adulteration of butter. U. S. v. 3 Tubs of Butter. Default decree of condemnation. Product ordered distributed to welfare organizations. (F. D. C. No. 10029. Sample No. 23629–F.)

On May 17, 1943, the United States attorney for the Middle District of Pennsylvania filed a libel against 3 63-pound tubs of butter at Harrisburg, Pa., alleging that the article had been shipped in interstate commerce on or about April 12, 1943, by the Waverly Butter & Egg Co. from Waverly, N. Y.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On June 29, 1943, no claimant having appeared, judgment of condemnation was entered and, in lieu of destruction, the product was ordered distributed to welfare organizations.

5166. Adulteration of butter. U. S. v. 8 Cubes (792½ pounds) of Butter. Decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 10038. Sample No. 10915–F.)

On May 11, 1943, the United States attorney for the Northern District of California filed a libel against 8 cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about April 30, 1943, by the Mutual Creamery Co. from Salt Lake City, Utah; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On May 14, 1943, the Wilsey Bennett Co., San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.

5167. Adulteration of butter. U. S. v. 34 Cubes (2,244 pounds) of Butter. Decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 10039. Sample No. 10917–F.)

On May 10, 1943, the United States attorney for the Northern District of California filed a libel against 34 cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about April 29, 1943, by the Sheridan Creamery from Sheridan, Wyo.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On May 13, 1943, the Wilsey Bennett Co., San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.

5168. Misbranding of butter. U. S. v. Sugar Creek Creamery Co. Plea of guilty. Fine, $500. (F. D. C. No. 9674. Sample No. 29074–F.)

On July 23, 1943, the United States attorney for the Eastern District of Tennessee filed an information against the Sugar Creek Creamery Co., a corporation, Knoxville, Tenn., alleging shipment on or about April 1, 1943, from the State of Tennessee into the State of Georgia of a quantity of butter that was short weight. The article was labeled in part: (Cartons) "Sugar Creek Butter 1 Lb. [or "One Pound Net"]," and (wrappers) "Sugar Creek Butter 4 Oz. Net Weight."

The article was alleged to be misbranded in that the statements "1 Lb. Net" and "One Pound Net," displayed upon the cartons, and the statement "4 Oz. Net Weight," displayed upon the wrappers, were false and misleading since the cartons and the wrappers contained a smaller amount than stated, and in that the product was in package form and did not bear a label containing an accurate statement of the quantity of the contents, since the statements on the cartons and wrappers were incorrect.

On August 10, 1943, a plea of guilty having been entered on behalf of the defendant corporation, the court imposed a fine of $500.