

200. Adulteration and misbranding of butter. U. S. v. 16 Cases of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 1325. Sample Nos. 61072-D, 61073-D, 61075-D.)

On December 22, 1939, the United States attorney for the Eastern District of Louisiana filed a libel against 16 cases of butter at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about December 11, 1939, by Jerpe Dairy Products Corporation from Fayetteville, Ark.; and charging that it was adulterated and misbranded. A portion was labeled in part: (Carton) "Clear Brook Creamery Butter * * * Distributed by Wilson & Co. General Offices Chicago." The remainder was labeled in part: (Wrapper) "Ol' Fashund Roll * * * Clear Brook Quality." The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

It was alleged to be misbranded in that it was labeled "butter" when in fact it was not butter as required by law.

On January 9, 1940, Jerpe Dairy Products Corporation, claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond, conditioned that it be reworked so as to meet the requirements of the law.

201. Adulteration of butter. U. S. v. 9 Cartons and 8 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 1380, 1381. Sample Nos. 85837-D, 85838-D.)

On January 9, 1940, the United States attorney for the Southern District of New York filed libels against 17 cartons, each containing 60 pounds of butter, at New York, N. Y., alleging that the article had been shipped in interstate commerce by the Paulsen Creamery Co., of Princeton, Minn., from Minneapolis, Minn., and that it had arrived at New York on or about January 2 and 4, 1940. The libel charged that the article was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On January 22, 1940, the Paulsen Creamery Co., claimant, having admitted the allegations of the libels and the cases having been consolidated, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked so that it contain at least 80 percent butterfat.

202. Adulteration and misbranding of butter. U. S. v. 10 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 1379. Sample No. 85836-D.)

On January 9, 1940, the United States attorney for the Southern District of New York filed a libel against 10 cartons, each containing 60 pounds of butter, at New York, N. Y., alleging that the article had been shipped in interstate commerce by Maple Lake Creamery, Maple Lake, Minn., and that it had arrived at New York on or about January 2, 1940; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

It was alleged to be misbranded in that it was offered for sale under the name of another food; and in that it was an imitation of butter and the word "imitation" did not appear on the label in connection with the word "butter."

On January 19, 1940, Maple Lake Farmers Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked so that it contain at least 80 percent butterfat.

203. Adulteration of butter. U. S. v. 16 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 1324. Sample No. 55886-D.)

On December 2, 1939, the United States attorney for the Northern District of Illinois filed a libel against 16 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 19, 1939, by Boring Creamery Co. from Oklahoma City, Okla.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On January 3, 1940, the Peter Fox Sons Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered ordering release of the product under bond, conditioned that it be reworked under the supervision of this Department so that it contain at least 80 percent of milk fat.