

February 15 and May 2, 1940, by Perry Kier from Mankato, Kans.; and charging that it was adulterated and misbranded. A portion of the article was labeled in part: "Butter S. & W. Waldbaum Inc." The remainder was labeled in part: "Butter S. & W. Waldbaum Inc. * * * Distributors New York, N. Y. Manufactured by Perry Kier Mankato, Kans."

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 the statement "Butter" was false and misleading since it contained less than 80 percent of milk fat.

On March 12 and May 24, 1940, Perry Kier, claimant, having admitted the allegations of the libels, judgments of condemnation were entered, and the product was ordered released under bond conditioned that it be reworked under the supervision of the Food and Drug Administration so that it contain at least 80 percent of milk fat.

545. Adulteration and misbranding of butter. U. S. v. 6 Cubes, 12 Cubes, and 6 Cubes of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 1371, 1988, 2007. Sample Nos. 13044-E, 13045-E, 13049-E, 13050-E.)

On May 2, 9, and 11, 1940, the United States attorney for the Western District of Washington filed libels against 24 cubes of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about April 29, May 6 and 7, 1940, by Kootenai Valley Creamery from Bonners Ferry, Idaho; and charging that it was adulterated and misbranded. The article was labeled in part: "Puget Sound Butter & Egg Co."

The article was alleged to be adulterated in that a product which contained not less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by act of March 4, 1923. It was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On May 17, 1940, Kootenai Valley Creamery, claimant, having admitted the allegations of the libels, a consolidated decree of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into conformity with the law under the supervision of the Food and Drug Administration.

546. Adulteration and misbranding of butter. U. S. v. 11 Tubs and 7 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 2058. Sample No. 10968-E.)

On May 21, 1940, the United States attorney for the Southern District of New York filed a libel against 18 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 9, 1940, by Lakeside Dairy from Madison, S. Dak.; 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 labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On June 3, 1940, Lakeside Dairy, 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 so that it contain at least 80 percent of butterfat.

547. Adulteration of butter. U. S. v. 105 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 2138. Sample No. 4896-E.)

On or about May 22, 1940, the United States attorney for the Northern District of Illinois filed a libel against 105 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 11, 1940, by Marwyn Dairy Products Co. from Kansas City, Mo.; 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 May 22, 1940, Marwyn 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 to the legal standard.