

**548. Adulteration of butter. U. S. v. 9 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked.** (F. D. C. No. 1648. Sample No. 1209-E.)

On March 15, 1940, the United States attorney for the District of Columbia filed a libel against nine tubs of butter at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about February 20 and March 5, 1940, by Meriden Creamery Co. from Hutchinson, Kans.; and charging that it was adulterated in that a substance which contained less than 80 percent of butterfat had been substituted wholly or in part for the article.

On May 7, 1940, the Meriden Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it be reworked to comply with the requirements of the law.

**549. Adulteration of butter. U. S. v. 10 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked.** (F. D. C. No. 2057. Sample No. 10967-E.)

On May 20, 1940, the United States attorney for the Southern District of New York filed a libel against 10 cartons of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 3, 1940, by Mott Cooperative Creamery Co. from Mott, N. Dak.; 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. The article was labeled in part: "Butter Distributed by J. R. Kramer, Inc., New York."

On June 1, 1940, Mott Cooperative 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 of butterfat.

**550. Adulteration of butter. U. S. v. 12 Cubes of Butter. Decree of condemnation. Product ordered released under bond to be reworked.** (F. D. C. No. 2165. Sample No. 12060-E.)

On May 22, 1940, the United States attorney for the Northern District of California filed a libel against 12 cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about May 19, 1940, by Myrtle Point Creamery from Myrtle Point, Oreg.; 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 June 4, 1940, Wilsey Bennet Co., San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it be made to conform to the provisions of the law under the supervision of the Food and Drug Administration.

**551. Adulteration of butter. U. S. v. 4 Tubs of Butter. Default decree of condemnation. Product delivered to a charitable institution.** (F. D. C. No. 1707. Sample No. 10309-E.)

On March 18, 1940, the United States attorney for the Southern District of New York filed a libel against four tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 23, 1939, by North American Creameries, Inc., from Paynesville, Minn.; 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. It was labeled in part: "Foremost Sales Co., Inc. \* \* \* New York."

On April 17, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution for consumption but not for sale.

**552. Adulteration and misbranding of butter. U. S. v. 60 Cases of Butter. Decree of condemnation. Product ordered released under bond.** (F. D. C. No. 2034. Sample Nos. 14653-E, 14656-E.)

On April 27, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 60 cases of butter at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about March 28, 1940, by Pickwick Creamery Co. from Lamoille, Minn.; and charging that it was adulterated and misbranded. The article was labeled in part: "Butter \* \* \* Frank Hellerick Co., Inc., Phila., Pa. Wholesale Distributors."

It 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. The article was alleged to be misbranded in that it was labeled "Butter," which term was false and misleading since it contained less than 80 percent of milk fat.

On May 20, 1940, Frank Hellerick & Co., Inc., having appeared as claimant, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it should not be sold or disposed of contrary to law.

**553. Adulteration of butter. U. S. v. 14 Cubes of Butter. Decree of condemnation. Product released under bond. (F. D. C. No. 1724. Sample No. 7410-E.)**

On March 18, 1940, the United States attorney for the Southern District of California filed a libel against 14 cubes, each containing 68 pounds, of butter at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about March 7, 1940, by the Pine Eagle Dairymen's Cooperative Association from Payette, Idaho; 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. The article was labeled in part: "Farmers Coop. Creamery, Payette, Idaho."

On April 11, 1940, the Challenge Cream & Butter Association, Los Angeles, Calif., claimant, having admitted the allegations of the libel, a decree of condemnation was entered and it was ordered that the product be released under bond conditioned that it should not be disposed of in violation of the law.

**554. Adulteration and misbranding of butter. U. S. v. 14<sup>5</sup>/<sub>6</sub> Cases of Butter. Consent decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 1638. Sample No. 72150-D.)**

This product was found to be deficient in milk fat and the packages were found to be short of the declared weight.

On February 29, 1940, the United States attorney for the Western District of Missouri filed a libel against 14<sup>5</sup>/<sub>6</sub> cases, each containing thirty 1-pound prints, of butter at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about February 26, 1940, by the Rasmussen Creamery Co. from Paola, Kans.; and charging that it was adulterated and misbranded. It was labeled in part: "Hillcrest Brand. \* \* \* Distributor Kelley Butter Co., Kansas City."

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in whole or in part omitted or abstracted therefrom; and in that an article containing less than 80 percent by weight of milk fat had been substituted wholly or in part for butter. It was alleged to be misbranded in that the actual net weight found was less than the declared weight of "1 lb. net."

On March 13, 1940, no claim or answer having been filed and the consignee having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be delivered to charitable institutions.

**555. Adulteration of butter. U. S. v. 31 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 2133. Sample No. 4887-E.)**

On or about May 22, 1940, the United States attorney for the Northern District of Illinois filed a libel against 31 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 4, 1940, by Saline Milk Products Co. from Marshall, 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, Saline County Milk Producer Association, 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.

**556. Adulteration and alleged misbranding of butter. U. S. v. 6 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released to claimant for reconditioning. (F. D. C. No. 1923. Sample No. 13944-E.)**

On or about April 26, 1940, the United States attorney for the Western District of Washington filed a libel against 6 cubes, each containing 68 pounds, of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about April 19, 1940, by the Saunders County Dairy Co-op from