

759. Adulteration and misbranding of butter. U. S. v. 13 Cartons of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. D. C. No. 2252. Sample No. 33311-E.)

On June 17, 1940, the United States attorney for the Southern District of New York filed a libel against 13 cartons of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about June 1, 1940, by the Farmers Union Cooperative Creamery from Portland, N. Dak.; and charging that it was adulterated and misbranded. It was labeled in part: "Butter Distributed By F. F. Lowenfels & Son New York."

It was alleged to be adulterated in that a product containing 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 as it contained less than 80 percent milk fat.

On June 28, 1940, the claimant, the Farmers Union Cooperative Creamery, 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 milk fat.

760. Adulteration and misbranding of butter. U. S. v. 9 Cartons of Butter. Consent decree of condemnation and forfeiture. Product released to claimant for reworking. (F. D. C. No. 2168. Sample Nos. 33247-E, 33251-E.)

On May 29, 1940, the United States attorney for the Southern District of New York filed a libel against 9 cartons, each containing 60 pounds, of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 18, 1940, by the Glen Ullin Creamery from Glen Ullin, N. Dak.; and charging that it was adulterated and misbranded. It was labeled in part: "Distributed by Trelease & Underhill."

The article was alleged to be adulterated in that a product containing 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," borne on the label, was false and misleading when applied to a product containing less than 80 percent by weight of milk fat.

On June 8, 1940, Emil Harter, trading as Glen Ullin Creamery, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be released to the claimant under bond conditioned that it be reworked so that it contain at least 80 percent of milk fat.

761. Adulteration and misbranding of butter. U. S. v. 15 Cartons of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. D. C. No. 3026. Sample No. 33354.)

On September 5, 1940, the United States attorney for the Southern District of New York filed a libel against 15 cartons of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 20, 1940, by the Goodrich Creamery Co. from Goodrich, N. Dak.; and charging that it was adulterated and misbranded. It was labeled in part: "Butter Distributed by Hunter Walton & Co., * * * New York."

It was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. It was alleged to be misbranded in that the article was labeled "Butter," which was false and misleading as it contained less than 80 percent milk fat.

On September 18, 1940, the claimant, the Goodrich Creamery Co., 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 milk fat.

762. Adulteration and misbranding of butter. U. S. v. 15 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 2745. Sample No. 33350-E.)

On August 30, 1940, the United States attorney for the Southern District of New York filed a libel against 15 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 16, 1940, by the Griggs County Creamery Co. from Cooperstown, N. Dak.; and charging that it was adulterated and misbranded. It was labeled in part: "Butter Distributed by J. R. Kramer Inc. * * * New York."

It was alleged to be adulterated in that a product containing 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 as it contained less than 80 percent by weight of milk fat.