

that was adulterated. The article was labeled in part: "Creamery Butter Distributed by Dairy & Poultry Co-op. Inc. * * * New York."

It was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a substance containing less than 80 percent by weight of milk fat had been substituted wholly and in part for butter.

On November 8, 1940, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25 and costs.

1059. Adulteration of butter. U. S. v. Harding Cream Division of Sugar Creek Creamery Co. Plea of guilty. Fine, \$10 and costs. (F. D. C. No. 2076. Sample No. 72139-D.)

On June 13, 1940, the United States attorney for the District of Kansas filed an information against the Harding Cream Division of the Sugar Creek Creamery Co., a corporation at Salina, Kans., alleging shipment on or about January 25, 1940, from the State of Kansas into the State of Missouri of a quantity of butter that was adulterated.

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On June 27, 1940, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$10 and costs.

1060. Adulteration of butter. U. S. v. Talbot, Woods & Co., Inc. Plea of guilty. Fine, \$2. (F. D. C. No. 2083. Sample Nos. 72147-D, 72148-D.)

On August 7, 1940, the United States attorney for the District of Kansas filed an information against Talbot, Woods & Co., Inc., Kansas City, Kans., alleging shipment on or about February 19 and 20, 1940, from the State of Kansas into the State of Missouri of quantities of butter that was adulterated. It was labeled in part: "Creamery Butter * * * Country Club Dairy."

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On September 10, 1940, a plea of guilty having been entered on behalf of the defendant, a fine of \$2 was imposed.

1061. Adulteration of butter. U. S. v. Webster Creamery Co. Plea of guilty. Fine, \$25. (F. D. C. No. 2848. Sample No. 33312-E.)

On October 23, 1940, the United States attorney for the District of South Dakota filed an information against the Webster Creamery Co., a corporation, at Webster, S. Dak., alleging shipment on or about June 3, 1940, from the State of South Dakota into the State of New York of a quantity of butter that was adulterated. It was labeled in part: "Butter Distributed By F. F. Lowenfels & Son New York."

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a substance which contained less than 80 percent by weight of milk fat had been substituted for butter.

On December 3, 1940, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$25.

Nos. 1062 to 1086 report the seizure and disposition of butter which contained less than 80 percent of milk fat.

1062. Adulteration and misbranding of butter. U. S. v. 13 Tubs and 29 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. Nos. 3147, 3211. Sample Nos. 34151-E, 34165-E.)

On September 27 and October 5, 1940, the United States attorney for the Southern District of New York filed libels against 42 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about September 13 and 21, 1940, by the Ashley Creamery from Ashley, N. Dak.; and charging that it was adulterated and misbranded. The article was labeled in part: "Creamery Butter Distributed By Zimmer & Dunkak, Inc. * * * New York, N. Y."

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. It was alleged to be misbranded in that the package was labeled "Butter," which was false and misleading as it contained less than 80 percent of milk fat.

On October 21, 1940, the Ashley Creamery, claimant, having admitted the allegations of the libels and the actions having been consolidated, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked so as to contain at least 80 percent by weight of milk fat.

1063. Adulteration of butter. U. S. v. 30 Cubes of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 3628. Sample No. 52277-E.)

On December 23, 1940, the United States attorney for the District of Oregon filed a libel against 30 cubes of butter at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about December 11, 1940, by Benewah Creamery, Inc., from Spokane, Wash.; 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: "American Produce Company, Portland, Oregon."

On January 3, 1941, the Benewah Creamery, Inc., 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 brought into compliance with the law under the supervision of the Food and Drug Administration.

1064. Adulteration of butter. U. S. v. 50 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 3405. Sample No. 31625-E.)

On or about November 7, 1940, the United States attorney for the Northern District of Illinois filed a libel against 50 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about October 17, 1940, by the Benson Cooperative Creamery Co. from Cedar Falls, Iowa; 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. It was labeled in part: "Butter Gt. A & P Tea Co. N. Y. Distributors."

On November 12, 1940, the Benson 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 by weight of milk fat.

1065. Adulteration and misbranding of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 3146. Sample No. 34150-E.)

On September 27, 1940, the United States attorney for the Southern District of New York filed a libel against 11 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about September 14, 1940, by the Cold Springs Creamery from Cold Springs, Minn.; and charging that it was adulterated and misbranded. The article was labeled in part: "Butter Breakstone Bros., Inc., Distributors New York, N. Y."

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

On December 5, 1940, the Cold Springs Creamery, 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 so that it contain not less than 80 percent by weight of milk fat.

1066. Adulteration and misbranding of butter. U. S. v. 25 Tubs and 26 Tubs of Butter. Consent decrees of condemnation. Product ordered released under bond to be reworked. (F. D. C. Nos. 3205, 3210. Sample Nos. 34152-E, 34164-E.)

On October 4 and 8, 1940, the United States attorney for the Southern District of New York filed libels against 51 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about September 13 and 21, 1940, by the Eureka Creamery, of Eureka, S. Dak., from Linton, N. Dak.; and charging that it was adulterated and misbranded. The article was labeled in part: "Creamery Butter Distributed By Zimmer & Dunkak, 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