

labeled in part: (Wrapper) "Butter * * * Frank Hellerick Co. Inc. Phila., Pa. Wholesale Distributors."

It 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 January 28, 1941, pleas of guilty having been entered, the court placed the defendants on probation for 18 months.

1431. Adulteration of butter. U. S. v. David B. Sorensen (Sorensen Creamery).
Plea of guilty. Fine, \$100. (F. D. C. No. 2879. Sample Nos. 10311-E, 33310-E.)

On December 26, 1940, the United States attorney for the District of South Dakota filed an information against David B. Sorensen, trading as Sorensen Creamery at Big Stone City, S. Dak., alleging shipment on or about March 9 and June 2, 1940, from the State of South Dakota into the State of New York of quantities of butter which was adulterated. The article was labeled in part: "Butter Distributed by J. R. Kramer, 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 product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On January 31, 1941, a plea of guilty was entered by the defendant and the court imposed a fine of \$100.

1432. Adulteration of butter. U. S. v. Wayne O. Stevenson (Valentine Creamery).
Plea of guilty. Fine, \$25 and costs. (F. D. C. No. 2915. Sample Nos. 10540-E, 16543-E.)

On February 27, 1941, the United States attorney for the District of Nebraska filed an information against Wayne O. Stevenson, trading as Valentine Creamery at Valentine, Nebr., alleging shipment on or about August 25, 1940, from the State of Nebraska into the State of New York of a quantity of butter that was adulterated. The article was labeled in part: "Herold-Gearon Co. 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 product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On April 9, 1941, a plea of guilty having been entered by the defendant, the court imposed a fine of \$25 and costs.

Nos. 1433 to 1445, inclusive, report the seizure and disposition of butter that contained less than 80 percent by weight of milk fat.

1433. Adulteration and misbranding of butter. U. S. v. 9 Cubes of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 4207. Sample No. 40618-E.)

On March 18, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 9 cubes of butter at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about March 9, 1941, by the Albin Creamery from Sleepy Eye, Minn.; and charging that it was adulterated and misbranded. It was labeled in part: "Frank Hellerick Co. Inc. * * * Wholesale Distributors."

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

On March 19, 1941, Frank Hellerick & Co., Inc., Philadelphia, Pa., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked so that it comply with the law.

1434. Adulteration of butter. U. S. v. 13 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 4320. Sample No. 47166-E.)

On January 25, 1941, the United States attorney for the Northern District of Illinois filed a libel against 13 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about March 15, 1941, by the Attica Community Cooperative Creamery from Attica, Kans.; 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 S. S. Borden Co. Chicago, Distributor."

On March 26, 1941, the Attica Community Cooperative Creamery, 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 not less than 80 percent of milk fat.

1435. Adulteration and misbranding of butter. U. S. v. 3 $\frac{1}{8}$ Cases of Butter. Default decree of forfeiture and destruction. (F. D. C. No. 3567. Sample No. 52521-E.)

On December 6, 1940, the United States attorney for the District of Idaho filed a libel against 3 $\frac{1}{8}$ cases of butter at Wallace, Idaho, alleging that the article had been shipped in interstate commerce on or about November 16, 1940, by the Commercial Creamery Co. from Spokane, Wash.; and charging that it was adulterated and misbranded.

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

On January 22, 1941, no claimant having appeared, judgment was entered forfeiting the product and ordering that it be destroyed.

1436. Adulteration and alleged misbranding of butter. U. S. v. 20 $\frac{5}{8}$ Cases of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 3666. Sample No. 43844-E.)

This product, in addition to being deficient in milk fat, was mislabeled because the name of the manufacturer was not correctly stated and the place of manufacture was not given.

On or about January 6, 1941, the United States attorney for the District of Kansas filed a libel against 20 $\frac{5}{8}$ cases of butter at Kansas City, Kans., alleging that the article had been shipped in interstate commerce on or about December 19, 1940, by the Emma Creamery Co. from Emma, Mo.; and charging that it was adulterated and misbranded. The article was labeled in part: "Gold Seal Pure Cream Butter * * * Churned and Distributed Fresh Daily by Talbot, Woods & Co."

It 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 a substance 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 since the name of the manufacturer was not correct and the place of manufacture was not given.

On January 4, 1941, Talbot, Woods & Co., of Kansas City, Kans., claimant, having admitted that the product was adulterated as alleged in the libel, judgment was entered finding the product adulterated, and ordering that it be condemned and released under bond conditioned that it be brought into compliance with the law.

1437. Adulteration of butter. U. S. v. 138 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 3849. Sample No. 31660-E.)

On or about February 7, 1941, the United States attorney for the Northern District of Illinois filed a libel against 138 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 10, 1941, by the Farmers Cooperative Creamery from Waurika, Okla.; 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: "Butter Peter Fox Sons Co., Distributor Chicago, Ill."

On February 11, 1941, the Peter Fox Sons 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 not less than 80 percent of milk fat.

1438. Adulteration of butter. U. S. v. 6 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 4828. Sample No. 47197-E.)

On April 21, 1941, the United States attorney for the Northern District of Illinois filed a libel against 6 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about April 10, 1941, by