

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