

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.

On October 17, 1941, Frank Hellerick & Co. of Philadelphia, Pa., 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 made to comply with the law under the supervision of the Food and Drug Administration.

2380. Adulteration of butter. U. S. v. 40 Boxes of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 6174. Sample No. 75935-E.)

On October 21, 1941, the United States attorney for the District of Massachusetts filed a libel against 40 68-pound boxes of butter at Somerville, Mass., alleging that the article had been shipped on or about October 7, 1941, by the Harding Creamery Co. from Harding, Minn.; 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: "Pipestone Produce Co. Somerville, Mass."

On October 31, 1941, Pipestone Produce Co., claimant, having admitted the allegations of the libel and having paid into the court \$2,380 in lieu of bond, judgment of condemnation was entered and the product was ordered released to be reworked under the supervision of the Food and Drug Administration.

2381. Adulteration of butter. U. S. v. 14 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 6055. Sample No. 75925-E.)

On October 10, 1941, the United States attorney for the District of Massachusetts filed a libel against 14 tubs, each containing 62 pounds, of butter at Somerville, Mass., alleging that the article had been shipped on or about September 24, 1941, by the Hull Farmers Co-Op. Creamery Association from Sheldon, 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. The article was labeled in part: "Butter Farmers Co-Op. Creamery, Hull, Iowa."

On October 31, 1941, Pipestone Produce Co., Somerville, Mass., claimant, having admitted the allegations of the libel and having paid into the court \$2,380 in lieu of bond, judgment of condemnation was entered and the product was ordered released to be reworked under the supervision of the Food and Drug Administration.

2382. Adulteration and misbranding of butter. U. S. v. 5 Cartons and 1 Carton of Butter. Consent decree of condemnation and destruction. (F. D. C. No. 5707. Sample No. 43384-E.)

On July 28, 1941, the United States attorney for the District of Kansas filed a libel against 5 cartons each containing 20 1-pound rolls, and 1 carton containing 15 1-pound rolls of butter at Kansas City, Kans., alleging that the article had been shipped in interstate commerce on or about July 20 and 22, 1941, by the Kroger Grocery & Baking Co. from North Kansas City, Mo.; and charging that it was adulterated and misbranded. It was labeled in part: (Roll wrapper) "Kroger's Country Club Quality Brand Roll Creamery Butter."

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 it was labeled "Butter," but it was not butter as required by law.

On September 12, 1941, the claimant having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered destroyed.

2383. Adulteration of butter. U. S. v. 14 Cubes of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 6210. Sample No. 53783-E.)

On October 28, 1941, the United States attorney for the Southern District of California filed a libel against 14 68-pound cubes of butter at Los Angeles, Calif., alleging that the article had been introduced in interstate commerce on or about October 18, 1941, by Montrose Co-op Creamery from Montrose, Colo.; 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: "Gold Band Butter Made by Montrose Creamery Co."

On November 17, 1941, Challenge Cream & Butter Association, Los Angeles, Calif., 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 reconditioned under the supervision of the Food and Drug Administration.

2384. Adulteration of butter. U. S. v. 71 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 6169. Sample No. 56985-E.)

On or about October 23, 1941, the United States attorney for the District of New Jersey filed a libel against 71 cartons, each containing approximately 54 pounds, of butter at Jersey City, N. J., alleging that the article had been shipped on or about October 6, 1941, by North American Creameries, Inc., Paynesville, Minn.; 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 Gr. A & P Tea Co. N. Y. Distributors."

On December 19, 1941, North American Creameries, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered (amended December 19, 1941) and the product was ordered released under bond to be reworked so that it contain at least 80 percent of butterfat.

2385. Adulteration and misbranding of butter. U. S. v. 21 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 5716. Sample No. 56941-E.)

On August 11, 1941, the United States attorney for the Southern District of New York filed a libel against 21 tubs, each containing approximately 62 pounds, of butter at New York, N. Y., alleging that the article had been shipped on or about August 1, 1941, by Omaha Cold Storage Co., Omaha, Nebr.; and charging that it was adulterated and misbranded. It was labeled in part: "Douglas Brand * * * Butter."

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.

On August 28, 1941, Bellevue Creamery & Produce Co., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

2386. Adulteration and misbranding of butter. U. S. v. 3 Cases of Butter. Consent decree of forfeiture. Product ordered released under bond. (F. D. C. No. 5708. Sample No. 43489-E.)

On July 31, 1941, the United States attorney for the Northern District of Oklahoma filed a libel against 3 cases, each containing 30 1-pound cartons, of butter at Miami, Okla., alleging that the article had been shipped on or about July 20 and 21, 1941, by Puritan Dairy Products Co. from Pittsburg, Kans.; and charging that it was adulterated and misbranded. It was labeled in part: "Puritan Butter."

The article was alleged to be adulterated in that there was omitted therefrom, in whole or in part, a valuable constituent, milk fat; 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 it was labeled "Butter," when in truth and in fact it was not butter as required by law.

On August 14, 1941, Puritan Dairy Products Co., Miami, Okla., claimant, having consented to the entry of a decree, judgment of forfeiture was entered and the product was ordered released under bond conditioned that it be disposed of in compliance with the law under the supervision of the Food and Drug Administration. The product was reworked and released for sale.

2387. Adulteration and misbranding 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. 5129. Sample No. 56917-E.)

On June 26, 1941, the United States attorney for the District of New Jersey filed a libel against 9 tubs of butter at Jersey City, N. J., alleging that the article had been shipped in interstate commerce on or about June 4, 1941, by Schwens Ice Cream Co. from Blue Earth, Minn.; and charging that it was