

5467. Adulteration of butter. U. S. v. 18 Cubes (1,134 pounds) of Butter. Decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 10339. Sample No. 10860-F.)

On July 15, 1943, the United States attorney for the Northern District of California filed a libel against 18 cubes of butter at San Francisco, Calif., alleging that the article was shipped in interstate commerce on or about June 29, 1943, by the Moundridge Co-op. Creamery Co. from Moundridge, 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.

On August 4, 1943, O. Casperson & Sons, San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released upon the deposit of cash collateral, conditioned that it be made to conform with the law under the direction of the Food and Drug Administration. The product was reworked to the legal standard.

5468. Adulteration of butter. U. S. v. 14 Tubs of Butter. Consent decree of condemnation. Product ordered released upon execution of bond or deposit of cash collateral, conditioned that it be reworked. (F. D. C. No. 7626. Sample No. 89645-E.)

On June 2, 1942, the United States attorney for the Southern District of New York filed a libel against 14 tubs, each containing approximately 64 pounds, of butter, at New York, N. Y., alleging that the article had been shipped on or about May 22, 1942, by the Pemberton Cooperative Creamery Co., Pemberton, 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: (Tubs) "Butter S & W Waldbaum Inc * * * Distributors New York, N. Y."

On June 13, 1942, the Pemberton Cooperative Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released upon execution of a bond or deposit of cash collateral, conditioned that it be reworked so that it would comply with the law.

5469. Adulteration and misbranding of butter. U. S. v. Moundridge Cooperative Creamery Co. Plea of guilty. Fine, \$25 and costs. (F. D. C. No. 10552. Sample No. 11293-F.)

On October 11, 1943, the United States attorney for the District of Kansas filed an information against the Moundridge Cooperative Creamery Co., Moundridge, Kans., alleging shipment on or about April 27, 1943, from the State of Kansas into the State of California of a quantity of butter that was adulterated and misbranded.

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.

It was alleged to be misbranded in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor; and in that it was in package form and did not bear a label containing an accurate statement of the quantity of the contents, that is, the label on the packages bore no statement of the quantity of the contents.

On December 13, 1943, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25 and costs.

5470. Adulteration and misbranding of butter. U. S. v. Rising Sun Creamery, Inc. Plea of guilty. Fine, \$50. (F. D. C. No. 9681. Sample Nos. 31720-F, 31895-F, 31897-F, 48013-F.)

A portion of this product was short weight and a part was deficient in milk fat.

On August 24, 1943, the United States attorney for the Southern District of Indiana filed an information against the Rising Sun Creamery, Inc., Rising Sun, Ind., alleging shipment on or about November 20, 1942, and February 24, and 26 and April 21, 1943, from the State of Indiana into the State of Ohio of quantities of butter, a portion of which was adulterated and the remainder of which was misbranded. It was labeled in part: (Wrappers) "8 Oz. Net Indiana Ideal * * * Creamery Butter," or "Cottage Butter * * * ¼ Lb. Net Weight."

The shipments of "Cottage Butter" on February 26 and April 21, 1943, were alleged to be adulterated in that a valuable constituent, milk fat, had been in whole or 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.

The shipments of "Creamery Butter" and "Cottage Butter" on November 20, 1942, and February 24, 1943, respectively, were alleged to be misbranded (1) in