

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 November 1, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$100 on each of the 2 counts.

**5654. Adulteration of butter. U. S. v. 44 Cartons of Butter. Decree of condemnation. Product ordered released upon deposit of cash collateral, conditioned upon reworking.** (F. D. C. No. 10895. Sample Nos. 51235-F, 51236-F.)

On September 15, 1943, the United States attorney for the District of Massachusetts filed a libel against 44 cartons, each containing 32 pounds, of butter at Boston, Mass., alleging that the article had been shipped on or about August 28, 1943, by American Dairies, Inc., from Kansas City, Mo.; 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: (Wrapper) "Prairie Rose Brand Creamery Butter."

On October 1, 1943, Hilton & Aldrich Company, Boston, Mass., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released upon deposit of cash collateral, conditioned that it be reworked, under the supervision of the Food and Drug Administration, so that it contain at least 80 percent of milk fat.

**5655. Adulteration of butter. U. S. v. 15 Boxes and 15 Boxes of Butter. Decree of condemnation. Product ordered released under bond to be brought into compliance with the law.** (F. D. C. No. 12787. Sample No. 60434-F.)

On June 6, 1944, the United States attorney for the Northern District of California filed a libel against 30 boxes, each containing 63 pounds, of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about May 18, 1944, by Casperson Products, Inc., from Hutchinson, Kans.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Independent Creamery Co."

On June 15, 1944, O. Casperson & Sons having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.

**5656. Adulteration of butter. U. S. v. 11 Boxes and 4 Boxes of Butter. Default decree of forfeiture. Product ordered delivered to charitable institutions.** (F. D. C. No. 10771. Sample No. 38920-F.)

On August 6, 1943, the United States attorney for the Northern District of Indiana filed a libel against 11 boxes, each containing 32 pounds, and 4 boxes, each containing 31 pounds, of butter at Gary, Ind., alleging that the articles had been shipped in interstate commerce on or about July 21, 1943, by the Dixie Dairy Co., Harvey, Ill.; 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: "Fancy Sweet Cream Butter \* \* \* Dixie Brand."

On November 13, 1943, no claimant having appeared, judgment of forfeiture was entered and the product was ordered delivered to charitable institutions.

**5657. Adulteration of butter. U. S. v. 2 Boxes of Butter. Default decree of condemnation. Product ordered delivered to a charitable institution.** (F. D. C. No. 10659. Sample No. 56623-F.)

On August 25, 1943, the United States attorney for the Southern District of New York filed a libel against 2 boxes, each containing approximately 62 pounds, of butter at New York, N. Y., alleging that the article had been shipped on or about August 11, 1943, by the Farmville Creamery, Inc., Farmville, Va.; and charging that it was adulterated in that it was deficient in butter fat and contained less than 80 percent by weight of milk fat.

On November 13, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

**5658. Adulteration of butter. U. S. v. 310 Cartons (19,840 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond for reworking.** (F. D. C. No. 10891. Sample Nos. 38929-F, 38935-F.)

On September 10, 1943, the United States attorney for the Northern District of Illinois filed a libel against 310 cartons of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 11 1943, by

the Fort Smith Creamery Company from Fort Smith, Ark.; 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: (Tracing) "The Peter Fox Sons Co. Chicago, Ill."

On November 1, 1943, Peter Fox Sons Co., claimant, having admitted the facts set forth in the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

**5659. Adulteration of butter. U. S. v. 5 Boxes (290 pounds) of Butter. Default decree of condemnation. Product ordered delivered to a Federal agency. (F. D. C. No. 12788. Sample No. 59903-F.)**

On May 5, 1944, the United States attorney for the Northern District of Illinois filed a libel against 5 boxes of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about April 22, 1944, by the Kruger Dairy Products Co., from Monon, Ind.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On June 7, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal agency on condition that it should not be sold.

**5660. Adulteration of butter. U. S. v. 14 Boxes of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 12791. Sample Nos. 40575-F, 81788-F.)**

On June 7, 1944, the United States attorney for the Southern District of New York filed a libel against 14 boxes, each containing approximately 64 pounds, of butter at New York, N. Y., alleging that the article had been shipped on or about May 25, 1944, by the Langenfeld Ice Cream Co. from Aberdeen, S. Dak.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On June 19, 1944, a claim having been filed on behalf of Langenfeld Ice Cream Co., and the allegations of the libel having been admitted, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

**5661. Adulteration of butter. U. S. v. 111 Cubes (7,104 pounds) of Butter. Decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. No. 12797. Sample No. 60064-F.)**

On May 24, 1944, the United States attorney for the Northern District of California filed a libel against 111 cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about May 6, 1944, by the Nebraska Cooperative Creameries from Omaha, Nebr.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On June 8, 1944, the Challenge Cream & Butter Association having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.

**5662. Adulteration of butter. U. S. v. 13 Cubes, 3 Cubes, 1 Cube, and 1 Cube of Butter. Decree of condemnation. Product ordered released under bond, conditioned that it be made to conform with the law. (F. D. C. No. 10758. Sample No. 11531-F.)**

On August 19, 1943, the United States attorney for the Northern District of California filed a libel against a total of 18 63-pound cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce from Omaha, Nebr., on or about July 31, 1943, by Frank Pilley & Sons, Inc.; 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. Portions of the article were labeled in part: "Circle A Brand Salt Butter."

On September 13, 1943, B. J. Holmes, doing business as the B. J. Holmes Sales Co., San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be made to conform with the law under the direction of the Food and Drug Administration.