

under bond for reworking under the supervision of the Food and Drug Administration.

**8194. Adulteration of butter. U. S. v. 9 Cubes (540 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 16092. Sample No. 19011-H.)

**LIBEL FILED:** April 18, 1945, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about April 6, 1945, by the St. Stephen Cooperative Creamery, Rice, Minn.

**PRODUCT:** 9 60-pound cubes of butter at Philadelphia, Pa.

**LABEL, IN PART:** "Butter Distributed by C. G. Heyd & Co., Philadelphia, Pa."

**VIOLATION CHARGED:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** April 30, 1945. C. G. Heyd & Co., claimant, having admitted the allegations of 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.

**8195. Adulteration of butter. U. S. v. 52 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 16677. Sample No. 17864-H.)

**LIBEL FILED:** May 29, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about May 10, 1945, by Boote's Hatcheries, from Worthington, Minn.

**PRODUCT:** 52 cartons, each containing 64 pounds, of butter at Chicago, Ill.

**VIOLATION CHARGED:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** July 6, 1945. Boote's Hatcheries and Packing Co., claimant, having admitted the allegations of 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.

**8196. Adulteration of butter. U. S. v. 155 Cartons (7,750 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 16680. Sample No. 19043-H.)

**LIBEL FILED:** June 1, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about May 19, 1945, by the Redwood Creamery, from Redwood Falls, Minn.

**PRODUCT:** 155 50-pound cartons of butter at New York, N. Y.

**VIOLATION CHARGED:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** June 20, 1945. The Redwood Creamery, claimant, having admitted the allegations of 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.

**8197. Adulteration of butter. U. S. v. 43 Cartons (2,709 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 16719. Sample No. 7101-H.)

**LIBEL FILED:** May 25, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about May 1, 1945, by the Breda Creamery, from Breda, Iowa.

**PRODUCT:** 43 63-pound cartons of butter at Newark, N. J.

**VIOLATION CHARGED:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** June 7, 1945. Ritter & Sussman, Newark, N. J., claimant, having admitted the allegations of 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.

**8198. Adulteration of butter. U. S. v. 174 Boxes (9,048 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 16731. Sample Nos. 7403-H, 7405-H.)

**LIBEL FILED:** June 27, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about June 11, 1945, by P. W. & C. V. Dake, East Berkshire, Vt.

PRODUCT: 174 boxes, each containing about 52 pounds of butter, at New York, N. Y.

LABEL, IN PART: "Butter \* \* \* Distributed by The Borden Company New York."

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: July 11, 1945. The Borden Co., claimant, having admitted the allegations of 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.

**S199. Adulteration and misbranding of butter. U. S. v. 17 Cartons (1,054 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16090. Sample No. 19205-H.)**

LABEL FILED: April 11, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about March 24, 1945, by the Ethan Dairy Products Co., from Ethan, S. Dak.

PRODUCT: 17 cartons, each containing approximately 62 1-pound, unlabeled prints, of butter at New York, N. Y.

LABEL, IN PART: (Carton) "Distributed by Harry Atlas Sons New York."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding, Section 403 (e) (1), the product failed to bear a label declaring the name and place of business of the manufacturer, packer, or distributor; and, Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: May 4, 1945. The Ethan Dairy Products Co., 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 as to conform with the law, under the supervision of the Food and Drug Administration.

#### BUTTERMILK AND CHEESE

**S200. Adulteration of buttermilk. U. S. v. 20 Barrels and 85 Kegs of Buttermilk. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 16334. Sample No. 2764-H.)**

LABEL FILED: June 6, 1945, Northern District of West Virginia.

ALLEGED SHIPMENT: On or about March 23, 1945, by I. H. Nestor, from Nashville, Tenn.

PRODUCT: 20 472-pound barrels and 85 95-pound kegs of buttermilk at Wardensville, W. Va.

LABEL, IN PART: "Nesco Brand Buttermilk."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (4), starch had been added to the article so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (a), the statements on the label, "Nesco Brand Butter Milk Equal to Any—Superior to Many Pure Creamery Buttermilk Solids 27%—Protein 10%—Fat 2% \* \* \* Condensed to a Semi-Solid \* \* \* It is All Pure Buttermilk," were false and misleading since the article was not pure condensed buttermilk but contained added starch and contained less than the percentage of total solids, protein, and fat declared; and, Section 403 (b), the article was offered for sale under the name of another food.

DISPOSITION: July 10, 1945. The Nashville Buttermilk Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be reprocessed and relabeled under the supervision of the Food and Drug Administration.

**S201. Adulteration and misbranding of condensed buttermilk. U. S. v. 11 Barrels of Condensed Buttermilk. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16359. Sample No. 4232-H.)**

LABEL FILED: June 13, 1945, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 6, 1945, by the Buttermilk Co. of New England, from Nashville, Tenn.

PRODUCT: 11 barrels of condensed buttermilk at York, Pa. Examination showed that the product contained from 6.75 to 7.37 percent protein; and