

377. Adulteration and misbranding of butter. U. S. v. 41 Boxes of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 1599. Sample No. 85879-D.)

On March 1, 1940, the United States attorney for the Southern District of New York filed a libel against 41 boxes of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about February 17, 1940, by the Sunflower Creamery from Manhattan, Kans.; and charging that it was adulterated. It was labeled in part: "Butter Distributed by Hunter, Walton & Co., New York N. Y."

The article was alleged to be adulterated 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 labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On March 12, 1940, the Sunflower Creamery 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 80 percent of butterfat.

378. Adulteration of butter. U. S. v. 16 Cubes of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 1499. Sample No. 72139-D.)

On or about February 8, 1940, the United States attorney for the Western District of Missouri filed a libel against 16 cubes of butter at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about January 25, 1940, by Harding Cream Division, Sugar Creek Creamery, from Salina, Kans.; and charging that it was adulterated.

Adulteration was alleged in that a product which contained less than 80 percent by weight of milk fat had been substituted wholly or in part for butter; and in that a valuable constituent, milk fat, had been in whole or in part omitted or abstracted from the article.

On February 9, 1940, Harding Cream Division, Sugar Creek Creamery 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.

379. Adulteration and misbranding of butter. U. S. v. 175 Pounds of Creamery Butter. Default decree of condemnation and destruction. (F. D. C. No. 783. Sample No. 75542-D.)

On October 13, 1939, the United States attorney for the Southern District of Ohio filed a libel against 175 pounds of butter at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about October 9, 1939, by the Rising Sun Creamery Co. from Rising Sun, Ind.; and charging that it was adulterated and misbranded. It was labeled in part: "Blue Ribbon Creamery Butter * * * Packed Expressly for The Goyert & Vogel Co., Cincinnati, Ohio."

It was alleged to be adulterated in that a product deficient in milk fat since it 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 labeled "Butter," a product which should contain not less than 80 percent by weight of milk fat.

On December 1, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

380. Adulteration and misbranding of butter. U. S. v. 46 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 1588. Sample Nos. 89411-D, 89415-D.)

On February 20, 1940, the United States attorney for the Northern District of Illinois filed a libel against 46 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about February 1, 1940, by Enid Cooperative Creamery Association from Enid, Okla.; and charging that it was adulterated and misbranded.

It was alleged to be adulterated in that a valuable constituent, milk fat, had been in whole or in part omitted 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," which was false and misleading since it contained less than 80 percent of milk fat.

On February 21, 1940, Dauber Bros., Chicago, Ill., 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 80 percent of milk fat.

881. Adulteration and misbranding of butter. U. S. v. 60 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 1587. Sample Nos. 89412-D, 89414-D.)

On February 20, 1940, the United States attorney for the Northern District of Illinois filed a libel against 60 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 30 and February 2, 1940, by Romine Creamery Co. from Osage City, Kans.; and charging that it was adulterated and misbranded.

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 an article which contained 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," which was false and misleading since it contained less than 80 percent of milk fat.

On February 21, 1940, Dauber Bros., Chicago, Ill., 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 80 percent of milk fat.

882. Adulteration of butter. U. S. v. 24 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 1532. Sample No. 55179-D.)

On February 6, 1940, the United States attorney for the Northern District of Illinois filed a libel against 24 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about July 12, 1939, by Farmers Union Creamery Co. from Aurora, 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 February 23, 1940, L. D. Schreiber & Co., Inc., Chicago, Ill., 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 comply with the law.

883. Adulteration and misbranding of butter. U. S. v. 2 Tubs and 18 Boxes of Butter. Decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. Nos. 1585, 1586. Sample Nos. 85877-D, 85878-D.)

On February 29, 1940, the United States attorney for the Southern District of New York filed libels against 2 tubs and 18 boxes of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about February 17, 1940, by Spring Valley Butter Co. from Kansas City, Mo.; and charging that it was adulterated and that one lot was also misbranded.

It was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter. One lot 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 March 9, 1940, Spring Valley Butter Co., claimant, having admitted the allegations of the libels and the cases having been consolidated, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked so that it contain at least 80 percent of butterfat.

884. Adulteration of butter. U. S. v. 49 $\frac{2}{3}$ Cases of Butter. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 1500. Sample No. 72141-D.)

On February 6, 1940, the United States attorney for the Western District of Missouri filed a libel against 49 $\frac{2}{3}$ cases, each containing 12 pounds of butter, at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about January 30, 1940, by the Great A & P Tea Co., from Chicago, Ill.; and charging that it was adulterated in that a valuable constituent, milk fat, had been in whole or in part omitted or abstracted; and in that an article which contained less than 80 percent by weight of milk fat had been substituted wholly or in part for butter. The article was labeled in part: "Sunnyfield Creamery Butter * * * The Great Atlantic & Pacific Tea Co. New York, N. Y. Distributors."