

On February 6, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

385. Adulteration of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 1501. Sample No. 85869-D.)

On February 9, 1940, the United States attorney for the Southern District of New York filed a libel against 11 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about February 3, 1940, by Bassett Cooperative Creamery, Bassett, Nebr., in pool shipment by United Creameries Service, 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 February 20, 1940, Bassett Cooperative Creamery, Bassett, Nebr., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it be reworked so that it contain at least 80 percent of butterfat.

Nos. 386 to 389 report prosecutions based on shipments of butter which contained less than 80 percent by weight of milk fat.

386. Adulteration of butter. U. S. v. Estel F. Draut (Rising Sun Creamery Co.). Plea of guilty. Fine, \$25. (F. D. C. No. 930. Sample Nos. 75369-D, 75542-D.)

On January 20, 1940, the United States attorney for the Southern District of Indiana filed an information against Estel F. Draut, trading as Rising Sun Creamery Co., Rising Sun, Ind., alleging shipment by said defendant on or about October 5 and 9, 1939, from the State of Indiana into the State of Ohio of quantities of butter which was adulterated. It was labeled in part: "Blue Ribbon Creamery Butter * * * Packed Expressly for The Goyert & Vogel Co. Cincinnati, Ohio."

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted from the article and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On February 17, 1940, the defendant entered a plea of guilty and the court imposed a fine of \$25.

387. Adulteration of butter. U. S. v. Harry G. Kurrasch, trading as the Clinton Creamery. Plea of guilty. Fine, \$20. (F. D. C. No. 928. Sample No. 67722-D.)

On January 9, 1940, the United States attorney for the District of Minnesota filed an information against Harry D. Kurrasch, trading as the Clinton Creamery, Clinton, Minn., alleging shipment by him on or about August 10, 1939, from the State of Minnesota into the State of New York of a quantity of butter that was adulterated.

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 January 9, 1940, the defendant entered a plea of guilty and the court imposed a fine of \$20.

388. Adulteration of butter. U. S. v. Isaly's Creamery Products, Inc. Plea of guilty. Fine, \$25 and costs. (F. D. C. No. 924. Sample Nos. 52488-D, 52490-D.)

On December 20, 1939, the United States attorney for the Northern District of Indiana filed an information against Isaly's Creamery Products, Inc., Fort Wayne, Ind., alleging shipment by said defendant on or about September 4, 1939, from the State of Indiana into the State of Pennsylvania of a quantity of butter which was adulterated. It was labeled in part: (Cartons) "Isaly's Swiss Dairymen Cut Tub Butter * * * The Isaly Dairy Co., Pittsburgh, Pa."

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 January 3, 1940, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25 and costs.