

2173. Adulteration and misbranding of butter. U. S. v. 14 Boxes and 86 Boxes of Butter. Decrees of condemnation. Portion of product ordered released under bond to be reworked; remainder ordered destroyed. (F. D. C. Nos. 5067, 5116. Sample Nos. 42423-E, 42577-E.)

On June 12 and 17, 1941, the United States attorney for the Western District of Pennsylvania filed libels against 14 boxes each containing 32 pounds, and 86 boxes each containing 30 pounds, of butter at Pittsburgh, Pa., alleging that the article had been shipped by Cloverleaf Creameries, Inc., from Decatur, Ind., on or about May 26 and June 1, 1941; and charging that it was adulterated and misbranded. The article was labeled in part: "Country Roll Creamery Butter * * * Distributors Wilson & Co., * * * Chicago, Ill."; or "Silverbrook Creamery Butter * * * The Great Atlantic & Pacific Tea Co., New York, N. Y. Distributors."

The article was alleged to be adulterated in that a product containing 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 July 16, 1941, no claimant having appeared for the 14 boxes shipped on May 26, judgment of condemnation was entered and the product was ordered destroyed. On July 22, 1941, Cloverleaf Creameries, Inc., claimant for the 86 boxes shipped on June 1, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

2174. Adulteration of butter. U. S. v. 30 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 5249. Sample Nos. 47175-E, 47177-E.)

On July 16, 1941, the United States attorney for the Northern District of Illinois filed a libel against 30 63-pound tubs of butter at Chicago, Ill., alleging that the article had been shipped on June 28, 1941, by A. T. Crouch Creamery from Bloomer, 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.

On July 17, 1941, Weinberg Bros & Co., 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 under the supervision of the Food and Drug Administration, and not sold or otherwise disposed of in violation of the law.

2175. Adulteration and misbranding of butter. U. S. v. 25 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 5053. Sample No. 56619-E.)

On June 19, 1941, the United States attorney for the Southern District of New York filed a libel against 25 tubs, each containing approximately 64 pounds of butter, at New York, N. Y., alleging that the article had been shipped on or about June 4, 1941, by Dairyland Cooperative Association, St. Cloud, Minn., from Minneapolis, Minn.; and charging that it was adulterated and misbranded. It was labeled in part: "Zimmer & Dunkak, Inc., New York, N. Y."

The article was alleged to be adulterated in that a product containing 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 milk fat.

On July 1, 1941, Dairyland Cooperative Association, 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.

2176. Adulteration and misbranding of butter. U. S. v. 15 Tubs and 12 Tubs of Butter. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 5056, 6051. Sample Nos. 56972-E, 69542-E.)

On June 21 and October 14, 1941, the United States attorney for the Southern District of New York filed libels against 27 tubs, each containing approximately 64 pounds, of butter at New York, N. Y., alleging that the article had been shipped on or about June 8 and September 30, 1941, by Equity Union Creamery, Inc., from Aberdeen, S. Dak., and Minot, N. Dak.; and charging that it was adulterated and that a portion was also misbranded. A portion of the article was labeled in part: "Distributed By Dairy & Poultry Co-Op. Inc. * * * New York."

It was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. A portion of