

**5155. Adulteration of butter. U. S. v. 8 Cubes of Butter. Decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 10759. Sample No. 11532-F.)**

On August 18, 1943, the United States attorney for the Northern District of California filed a libel against 8 64-pound cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about July 30, 1943, by O. Casperson & Sons from Hutchinson, Kans.; 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 September 3, 1943, P. Lerner Co. of San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

**5156. Adulteration of butter. U. S. v. 124 Boxes of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 10657. Sample Nos. 48203-F, 48205-F.)**

On August 24, 1943, the United States attorney for the Northern District of Ohio filed a libel against 124 boxes, each containing 60 pounds, of butter at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about August 9, 1943, by the Breda Creamery Co. from Breda, Iowa; 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 13, 1943, the Stonehill Creamery Co., Cleveland, Ohio, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

**5157. Adulteration of butter. U. S. v. 36 Cubes of Butter. Decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. No. 10761. Sample No. 11537-F.)**

On August 27, 1943, the United States attorney for the Northern District of California filed a libel against 36 cubes, each containing 63 pounds, of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about August 7, 1943, by the Arkansas City Cooperative, from Arkansas City, Kans.; 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 September 14, 1943, O. Casperson & Sons, San Francisco, Calif., 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.

**5158. Adulteration of butter. U. S. v. Jacob Aschbacher (Prineville Creamery). Plea of guilty. Fine, \$20. (F. D. C. No. 9614. Sample Nos. 10780-F, 10781-F.)**

On April 28, 1943, the United States attorney for the District of Oregon filed an information against Jacob Aschbacher, trading as the Prineville Creamery at Prineville, Oreg., alleging that on or about July 30, 1942, the defendant gave to Ruby & Co., of Portland, Oreg., a guaranty that all articles delivered by the defendant to such company would be neither adulterated nor misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act; that on or about October 2 and 15, 1942, the defendant sold and delivered quantities of a food to Ruby & Co. which was, on or about October 3 and 16, 1942, introduced and delivered for introduction into interstate commerce by the purchaser from the State of Oregon into the State of California. The information charged further that the defendant, in violation of the Act, gave a guaranty which was false, since the food so sold and delivered was 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, which it purported to be.

On June 11, 1943, the defendant having entered a plea of guilty, the court imposed a fine of \$20.

**5159. Adulteration of butter. U. S. v. Farmers Marketing Association. Plea of guilty. Fine, \$25. (F. D. C. No. 9624. Sample No. 31876-F.)**

On May 18, 1943, the United States attorney for the Southern District of Indiana filed an information against the Farmers Marketing Association, a corporation, at Columbus, Ind., alleging shipment on or about January 18, 1943.