

from the State of Indiana into the State of Ohio of a quantity of butter that 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.

On June 5, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$25.

5160. Adulteration of butter. U. S. v. Spooner Cooperative Creamery Co. Plea of guilty. Fine, \$50. (F. D. C. No. 9641. Sample No. 38116-F.)

On May 25, 1943, the United States attorney for the Western District of Wisconsin filed an information against the Spooner Cooperative Creamery Co., a corporation, at Spooner, Wis., alleging shipment on or about February 1, 1943, from the State of Wisconsin into the State of Illinois of a quantity of butter that 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.

On July 13, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$50.

5161. Adulteration of butter. U. S. v. 8 Cubes (approximately 500 pounds) of Butter. Decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 9735. Sample No. 11239-F.)

On March 12, 1943, the United States attorney for the Northern District of California filed a libel against 8 cubes of butter at Oakland, Calif., alleging that the article had been shipped in interstate commerce on or about February 18, 1943, by the Tulsa Cold Storage Co. from Tulsa, Okla.; 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 March 20, 1943, the Carnation Co. of Oakland, Calif., having appeared as claimant, 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.

5162. Adulteration of butter. U. S. v. 17 Cubes (1,020 pounds) of Butter. Decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 9805. Sample No. 11270-F.)

On April 2, 1943, the United States attorney for the Northern District of California filed a libel against 17 60-pound cubes of butter at Oakland, Calif., alleging that the article had been shipped in interstate commerce on or about March 16, 1943, by the Farmers Co-operative Creamery Association from Avoca, 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 April 23, 1943, Safeway Stores having appeared as claimant, 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.

5163. Adulteration of butter. U. S. v. 45 Cartons (2,880 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 9980. Sample No. 18557-F.)

On April 29, 1943, the United States attorney for the Southern District of New York filed a libel against 45 cartons, each containing 64 pounds, of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about April 13, 1943, by the Sorenson Creameries from Big Stone City, S. Dak.; and charging it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "J. R. Kramer, Inc. * * * New York * * * Bulk Butter."

On May 11, 1943, Sorenson Creameries having appeared as claimant and having admitted the allegations of the libel and 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, so that it contain at least 80 percent of milk fat.

5164. Adulteration of butter. U. S. v. 114 Cubes (7,752 pounds) of Butter. Decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 10028. Sample No. 11293-F.)

On May 18, 1943, the United States attorney for the Northern District of California filed a libel against 114 68-pound cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about April 27, 1943, by the Moundridge Cooperative Creamery Co. from Moundridge,

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 June 3, 1943, O. Casperson & Sons, a co-partnership, San Francisco, Calif., having appeared as claimants, 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.

5165. Adulteration of butter. U. S. v. 3 Tubs of Butter. Default decree of condemnation. Product ordered distributed to welfare organizations. (F. D. C. No. 10029. Sample No. 23629-F.)

On May 17, 1943, the United States attorney for the Middle District of Pennsylvania filed a libel against 3 63-pound tubs of butter at Harrisburg, Pa., alleging that the article had been shipped in interstate commerce on or about April 12, 1943, by the Waverly Butter & Egg Co. from Waverly, N. Y.; 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 June 29, 1943, no claimant having appeared, judgment of condemnation was entered and, in lieu of destruction, the product was ordered distributed to welfare organizations.

5166. Adulteration of butter. U. S. v. 8 Cubes (792½ pounds) of Butter. Decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 10038. Sample No. 10915-F.)

On May 11, 1943, the United States attorney for the Northern District of California filed a libel against 8 cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about April 30, 1943, by the Mutual Creamery Co. from Salt Lake City, Utah; 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 May 14, 1943, the Wilsey Bennett Co., 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.

5167. Adulteration of butter. U. S. v. 34 Cubes (2,244 pounds) of Butter. Decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 10039. Sample No. 10917-F.)

On May 10, 1943, the United States attorney for the Northern District of California filed a libel against 34 cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about April 29, 1943, by the Sheridan Creamery from Sheridan, Wyo.; 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 May 13, 1943, the Wilsey Bennett Co., 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.

5168. Misbranding of butter. U. S. v. Sugar Creek Creamery Co. Plea of guilty. Fine, \$500. (F. D. C. No. 9674. Sample No. 29074-F.)

On July 23, 1943, the United States attorney for the Eastern District of Tennessee filed an information against the Sugar Creek Creamery Co., a corporation, Knoxville, Tenn., alleging shipment on or about April 1, 1943, from the State of Tennessee into the State of Georgia of a quantity of butter that was short weight. The article was labeled in part: (Cartons) "Sugar Creek Butter 1 Lb. [or "One Pound Net"]," and (wrappers) "Sugar Creek Butter 4 Oz. Net Weight."

The article was alleged to be misbranded in that the statements "1 Lb. Net" and "One Pound Net," displayed upon the cartons, and the statement "4 Oz. Net Weight," displayed upon the wrappers, were false and misleading since the cartons and the wrappers contained a smaller amount than stated, and in that the product was in package form and did not bear a label containing an accurate statement of the quantity of the contents, since the statements on the cartons and wrappers were incorrect.

On August 10, 1943, a plea of guilty having been entered on behalf of the defendant corporation, the court imposed a fine of \$500.