

ALLEGED SHIPMENT: Between the approximate dates of August 9 to September 12, 1944, by the West Central Cooperative Association, Benson, Minn.

PRODUCT: Butter: 29 boxes at New York, N. Y., and 13 boxes at Philadelphia, Pa., each box containing 64 pounds.

LABEL, IN PART: "Butter Distributed By Hunter Walton & Co. * * * New York, N. Y. [or "Distributed By C. G. Heyd & Co."]."]"

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: September 6, 13, and 28, 1944. West Central Cooperatives, Inc., having appeared as claimant for the New York lots, and C. G. Heyd & Co., Philadelphia, Pa., having claimed the Philadelphia lot, judgments of condemnation were entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

7239. Adulteration and misbranding of butter. U. S. v. 60 Pounds and 47 Pounds of Butter. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. Nos. 15030, 15031. Sample Nos. 75945-F, 75946-F.)

LIBEL FILED: October 25, 1944, Northern District of West Virginia.

ALLEGED SHIPMENT: On or about October 12, 1944, by the Cloverland Dairy, from Flushing, Ohio.

PRODUCT: 107 pounds of butter, at Wheeling, W. Va.

Examination showed that the product was deficient in butter fat and that it was short-weight.

LABEL, IN PART: (Parchment wrapper) "One Pound Net Cloverland Brand Butter."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding, Sections 403 (a) and (e), the wrappers enclosing the butter did not contain "One Pound Net," as labeled.

DISPOSITION: November 18, 1944. No claimant having appeared, judgments of condemnation were entered and the product was ordered delivered to charitable institutions.

7240. Adulteration of butter. U. S. v. 117 Pounds of Butter. Consent decree of condemnation. Product ordered delivered to a public institution. (F. D. C. No. 12790. Sample No. 46921-F.)

LIBEL FILED: April 27, 1944, Northern District of Illinois.

ALLEGED SHIPMENT: On or about March 1, 1944, by the Clinton Pure Butter Co., from Clinton, Iowa.

PRODUCT: 117 pounds of butter, at Morrison, Ill.

LABEL, IN PART: (Carton) "Neilsen's Quality Butter one pound."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding, Section 403 (a), the statement on the labeling, "one pound," was false and misleading as applied to the product, which was short-weight; and, Section 403 (e) (2), the article was in package form and its label failed to bear an accurate statement of the quantity of the contents.

DISPOSITION: June 28, 1944. The owner of the product having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered delivered to a public institution.

7241. Adulteration and misbranding of butter. U. S. v. Kilmer Creamery Co. Plea of guilty. Fine, \$300. (F. D. C. No. 12615. Sample Nos. 69209-F, 69210-F, 69214-F, 69215-F.)

INFORMATION FILED: November 27, 1944, District of Wyoming, against the Kilmer Creamery Co., a partnership, Lusk, Wyo.

ALLEGED SHIPMENT: Between the approximate dates of April 29 and May 8, 1944, from the State of Wyoming into the State of South Dakota.

LABEL, IN PART: (Cartons of portion) "One Pound Net When Packed W-Y-O Maid Creamery Butter." The remainder was unlabeled.