It was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter. The article was alleged to be misbranded in that it was labeled "Butter," which term was false and misleading since it contained less than 80 percent of milk fat.

On May 20, 1940, Frank Hellerick & Co., Inc., having appeared as claimant, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it should not be sold or disposed of contrary to law.

553. Adulteration of butter. U. S. v. 14 Cubes of Butter. Decree of condemnation. Product released under bond. (F. D. C. No. 1724. Sample No. 7410–E.)

On March 18, 1940, the United States attorney for the Southern District of California filed a libel against 14 cubes, each containing 68 pounds, of butter at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about March 7, 1940, by the Pine Eagle Dairymen's Cooperative Association from Payette, Idaho; 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. The article was labeled in part: "Farmers Coop. Creamery, Payette, Idaho."

On April 11, 1940, the Challenge Cream & Butter Association, Los Angeles, Calif., claimant, having admitted the allegations of the libel, a decree of condemnation was entered and it was ordered that the product be released under bond conditioned that it should not be disposed of in violation of the law.

554. Adulteration and misbranding of butter. U. S. v. 14⅝ Cases of Butter. Consent decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 1638. Sample No. 72150–D.)

This product was found to be deficient in milk fat and the packages were found to be short of the declared weight.

On February 29, 1940, the United States attorney for the Western District of Missouri filed a libel against 14⅝ cases, each containing thirty 1-pound prints, of butter at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about February 26, 1940, by the Rasmussen Creamery Co. from Paola, Kans.; and charging that it was adulterated and misbranded. It was labeled in part: "Hillcrest Brand * * * Distributor Kelley Butter Co., Kansas City."

The article was alleged to be adulterated in that a valuable constituent, milk fat, had been in whole or in part omitted or abstracted therefrom; and in that an article containing less than 80 percent by weight of milk fat had been substituted wholly or in part for butter. It was alleged to be misbranded in that the actual net weight found was less than the declared weight of "1 lb. net."

On March 13, 1940, no claim or answer having been filed and the consignee having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be delivered to charitable institutions.

555. Adulteration of butter. U. S. v. 31 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 2133. Sample No. 4887–E.)

On or about May 22, 1940, the United States attorney for the Northern District of Illinois filed a libel against 31 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 4, 1940, by Saline Milk Products Co. from Marshall, Mo.; 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 May 22, 1940, Saline County Milk Producer 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 to the legal standard.

556. Adulteration and alleged misbranding of butter. U. S. v. 6 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released to claimant for reconditioning. (F. D. C. No. 1923. Sample No. 13944–E.)

On or about April 26, 1940, the United States attorney for the Western District of Washington filed a libel against 6 cubes, each containing 68 pounds, of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about April 19, 1940, by the Saunders County Dairy Co-op from