

2371. Adulteration of butter. U. S. v. 6 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 6054. Sample No. 56977-E.)

On October 14, 1941, the United States attorney for the Southern District of New York filed a libel against 6 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 1, 1941, by the Brewster Creamery of Brewster, Minn., from Duluth, Minn.; 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. It was labeled in part: "Butter Dist. by W. W. Elzea Inc. * * * 64# Net."

On October 24, 1941, the Brewster Creamery Co., claimant, having admitted the the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be reworked under the supervision of the Food and Drug Administration so that it contain at least 80 percent of milk fat.

2372. Adulteration of butter. U. S. v. 23 Cubes of Butter. Consent decree of condemnation. Product ordered released under bond to be reconditioned. (F. D. C. No. 6222. Sample No. 53582-E.)

On November 5, 1941, the United States attorney for the Southern District of California filed a libel against 23 68-pound cubes of butter at Los Angeles, Calif., alleging that the article had been introduced in interstate commerce on or about October 27, 1941, by Brooklawn Creamery Co., from Beaver, 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. The article was labeled in part: "Sweet Cream Butter * * * Lucerne Cream & Butter Company * * * Los Angeles, California."

On December 3, 1941, Lucerne Cream & Butter Co., 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 reconditioned under the supervision of the Food and Drug Administration.

2373. Adulteration of butter. U. S. v. 68 Tubs of Butter. Default decree of condemnation and destruction. (F. D. C. No. 5404. Sample No. 62328-E.)

This product was deficient in milk fat, in addition to containing mold.

On August 1, 1941, the United States attorney for the Northern District of Illinois filed a libel against 68 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on July 18, 1941, by the Cincinnati Terminal Warehouse Co. from Cincinnati, Ohio; and charging that it was adulterated.

It was alleged to be adulterated in that it consisted wholly or in part of a filthy substance; in that a valuable constituent, to wit, milk fat, had been in whole or in part omitted or abstracted therefrom; and in that a product containing less than 80 percent by weight of milk fat had been substituted wholly or in part for butter.

On October 9, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2374. Adulteration and misbranding of butter. U. S. v. 427 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 5703. Sample No. 29729-E.)

On August 16, 1941, the United States attorney for the Southern District of Ohio filed a libel against 427 cartons of butter at Cincinnati, Ohio, which had been consigned on or about July 25, 1941, alleging that the article had been shipped in interstate commerce by the Cloverleaf Creamery, Inc., from Decatur, Ind.; and charging that it was adulterated and misbranded.

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. It was alleged to be misbranded in that it was offered for sale under the name of butter, a product which should contain not less than 80 percent by weight of milk fat.

On September 29, 1941, Cloverleaf Creamery, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be reworked under the supervision of the Food and Drug Administration.

2375. Adulteration and misbranding of butter. U. S. v. 13 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 5130. Sample No. 56916-E.)

On June 26, 1941, the United States attorney for the District of New Jersey filed a libel against 13 tubs of butter at Jersey City, N. J., alleging that the article

had been shipped in interstate commerce on or about June 5, 1941, by the Emerald Cooperative Creamery from Emerald, Wis.; and charging that it was adulterated and misbranded. The article was labeled in part: "June Dairy Sweet Cream Butter * * * June Dairy Products Co. Inc. 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 the statement "Butter," borne on the labels, was false and misleading.

On August 29, 1941, the June Dairy Products Co., Jersey City, N. J., 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 so as to contain at least 80 percent by weight of milk fat.

2376. Adulteration of butter. U. S. v. 22 Tubs of Butter. Default decree of condemnation. Product ordered delivered to a charitable organization. (F. D. C. No. 6211. Sample No. 56979-E.)

On or about October 23, 1941, the United States attorney for the District of New Jersey filed a libel against 22 tubs, each containing approximately 64 pounds, of butter at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about October 4, 1941, by Farmers Cooperative Creamery Association, Lake Benton, Minn.; 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: "Butter Distributed by Gude & Cole, Inc. * * * Newark, N. J. * * * Minnesota Brand."

On November 18, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable organization.

2377. Adulteration of butter. U. S. v. 28 Tubs, 15 Tubs, and 15 Tubs of Butter. Consent decrees of condemnation. Product ordered released under bond to be reworked. (F. D. C. Nos. 6141, 6142, 6144. Sample Nos. 56980-E, 56981-E, 74548-E.)

On October 20 and 22, 1941, the United States attorney for the Southern District of New York filed libels against 58 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 2 and 7, 1941, by the Farmers Mutual Cooperative Creamery from Sioux Center, 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 November 3, 1941, the Farmers Mutual Cooperative Creamery, claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be reworked under the supervision of the Food and Drug Administration so that it contain at least 80 percent of milk fat.

2378. Adulteration of butter. U. S. v. 31 Boxes and 13 Cartons of Butter. Consent decree of condemnation. Product ordered released to be reworked. (F. D. C. Nos. 6035, 6131. Sample Nos. 51875-E, 75923-E, 75932-E.)

On October 8 and 16, 1941, the United States attorney for the District of Massachusetts filed libels against 31 boxes and 13 cartons, each containing 66 pounds, of butter at Somerville, Mass., alleging that the article had been shipped on or about September 23 and 30, 1941, by Foley Creamery Co. from Foley, Minn.; 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: "Butter * * * Pipestone Produce Co., Somerville, Mass."

On October 31, 1941, the cases having been consolidated and Pipestone Produce Co., claimant, having admitted the allegations of the libel and having paid into the court \$2,380 in lieu of bond, judgment of condemnation was entered and the product was ordered released to be reworked under the direction and supervision of the Food and Drug Administration.

2379. Adulteration of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 6129. Sample No. 54220-E.)

On October 15, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 12 tubs of butter at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about October 3, 1941, by the Hanover Creamery Association from Hanover, N. Dak.;