the article had been shipped in interstate commerce on or about October 4, 1941, by the Sunflower Creamery Co. from Manhattan, 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 October 31, 1941, the Sunflower Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

2392. Adulteration and misbranding of butter. U. S. v. 8 Cubes, 44 Cubes, 43 Cubes, and 44 Cubes of Butter. Decrees of condemnation. Product ordered released under bond to be reconditioned. (F. D. C. Nos. 5168, 5701, 6083, 6084. Sample Nos. 22313–E, 22314–E, 22316–E, 22904–E, 22906–E, 22908–E, 22909–E, 22912–E, 72113–E, 72117–E.)

Between June 27 and October 4, 1941, the United States attorneys for the Northern and Southern Districts of California filed libels against 52 68-pound cubes of butter at San Francisco, Calif., and 87 68-pound cubes of butter at Los Angeles, Calif., alleging that the article had been shipped from Tulia, Tex., by Swisher Creamery, Inc., within the period from on or about May 30 to on or about July 7, 1941, and by Swisher County Creamery Co. on or about May 24, 1941; and charging that it was adulterated and that a portion was also misbranded.

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. A portion of the article was alleged to be misbranded in that it was labeled "Butter," which was false and misleading.

On August 14 and 15 and October 24, 1941, Swisher Creamery, Inc., having appeared as claimant for all lots, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be made to conform with the law under the supervision of the Food and Drug Administration.

2393. Adulteration of butter. U. S. v. 106 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 6212. Sample No. 74547–E.)

On or about October 23, 1941, the United States attorney for the District of New Jersey filed a libel against 106 cartons, each containing approximately 60 pounds, of butter at Jersey City, N. J., alleging that the trticle had been shipped in interstate commerce on or about October 6, 1941, by Turtle Lake Cooperative Creamery, Turtle Lake, Wis.; 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: "June Dairy Products Co., Inc. Distributors Jersey City, N. J. * * * Seaboard T. & R. Co."

On November 5, 1941, June Dairy Products Co., Inc., claimant, having admitted the allegations of the libel, 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.

2394. Misbranding of butter. U. S. v. 19 Shipping Containers and 5 Bundles of Butter. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 6282. Sample No. 62364–E.)

This product was short of the declared weight.

On November 5, 1941, the United States attorney for the Northern District of Illinois filed a libel against 19 shipping containers each containing 6 5-pound bundles, and 5 5-pound bundles of butter at Chicago, Ill., alleging that the article had been shipped on or about October 27, 1941, by Fountain City Creamery from Fountain City, Wis.; and charging that it was misbranded. It was labeled in part: "Chiplets * * * ⅓ lb. net."

The article was alleged to be misbranded in that its labeling was false and misleading since the statement "⅓ lb. net" was incorrect; and in that it was in package form and did not bear a label containing an accurate statement of the quantity of the contents.

On November 21, 1941, Maloney, Cunningham & De Vic, Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.