3468. Adulteration of butter. U. S. v. 17 Cases of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. D. C. No. 7175. Sample No. 70810–E.)

On or about April 1, 1942, the United States attorney for the Northern District of Georgia filed a libel against 17 cases each containing 30 1-pound prints of butter at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about March 23, 1942, by the Borden Co. from Nashville, Tenn.; and charging that it was adulterated in that an article containing less than 80 percent by weight of milk fat had been substituted for butter. It was labeled in part: "Morning Glory Creamery Butter."

On May 5, 1942, the Borden Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered providing that the product might be released under bond and reconditioned under the supervision of the Food and Drug Administration.

3469. Adulteration and misbranding of butter. U. S. v. 32 Cases of Butter. Consent decree of condemnation. Product ordered released under bond to be reprocessed. (F. D. C. No. 7595. Sample Nos. 79679–E, 79680–E.)

This product was short of the declared weight, as well as deficient in milk fat.

On May 5, 1942, the United States attorney for the Middle District of Tennessee filed a libel against 32 cases of butter at Nashville, Tenn., alleging that the article had been shipped in interstate commerce on or about April 23, 1942, by the Borders Pure Milk Co. from Bowling Green, Ky.; and charging that it was adulterated and misbranded. It was labeled in part: (Wrapper) "Quality Pure Brand Butter Manufactured by Anthony Pure Milk Co., Nashville, Tenn."

The article was alleged to be adulterated in that it contained less than 80 percent by weight of milk fat.

It was alleged to be misbranded in that the packages, which were labeled and represented to contain 1 pound of butter, were short weight and did not as a matter of fact contain 1 pound of butter.

On May 7, 1942, Anthony Pure Milk Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reprocessed under the supervision of the Food and Drug Administration.

3470. Adulteration of butter. U. S. v. 20 Cases of Butter. Consent decree of condemnation. Product ordered released under bond to be reconditioned. (F. D. C. No. 7091. Sample No. 92014–E.)

On February 27, 1942, the United States attorney for the Southern District of California filed a libel against 20 cases each containing 30 1-pound cartons of butter at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about February 21, 1942, by Brooklawn Creamery Co. from Salt Lake City, Utah; and charging that it was adulterated in that an article containing less than 80 percent by weight of milk fat had been substituted for butter. It was labeled in part: (Carton) "Mont-pelier * * * Butter."

On March 6, 1942, Brooklawn Creamery 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 so as to comply with the law.

3471. Adulteration of butter. U. S. v. 22 Cases of Process Butter. Default decree of condemnation. Product ordered delivered to a local charitable agency. (F. D. C. No. 6794. Sample Nos. 70095–E, 70096–E.)

On January 20, 1942, the United States attorney for the Southern District of Florida filed a libel against 22 cases, each containing 10 1-pound packages, of butter at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about January 9 and 10, 1942, by Cherokee Creamery, Inc., from Cedartown, Ga.; and charging that it was adulterated in that an article containing less than 80 percent by weight of milk fat had been substituted for butter. It was labeled in part: "Cherokee Rose Process Butter."

On February 26, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a local charitable agency for its own use but not for sale.

3472. Adulteration of butter. U. S. v. 18 Cases of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 7593. Sample No. 70685–E.)

On May 22, 1942, the United States attorney for the Northern District of Georgia filed a libel against 18 cases each containing 60 8-ounce prints of butte