on or about July 31, 1943, from Strandquist, Minn., by the Strandquist Creamery Co.; and charging that it was adulterated and misbranded in that it contained less than 80 percent by weight of milk fat. The article was labeled in part: "Butter Distributed by Hunter Walton & Co. * * * New York."

On August 25, 1943, the Strandquist Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released upon deposit of cash collateral or execution of bond, conditioned that it be reworked so that it contain 80 percent of milk fat.

5668. Adulteration and misbranding of butter. U. S. v. 978 Boxes and 50 Cases of Butter. Decrees of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. Nos. 10981, 10982. Sample Nos. 43321–F, 43493–F, 43562–F.)

One lot of this product, 978 boxes, contained less than 80 percent of milk fat, and the other lot was short of the declared weight.

On October 7, 1943, the United States attorney for the District of Kansas filed libels against 978 boxes, each containing 66 pounds, and 50 cases, each containing 32 1-pound prints, of butter, at Kansas City, Kans., alleging that the article had been shipped in interstate commerce within the period from on or about May 29 to September 7, 1943, by the Harding Cream Co. from Kansas City, Mo.; and charging adulteration with respect to the product that contained less than 80 percent of milk fat, and misbranding with respect to the product that was short-weight. The 50-case lot was labeled in part: (Parchment wrapper) "Cudahy's Sweet Cream Butter Net Wt. 1 Pound The Cudahy Packing Co., Chicago, Ill. Distributors." The remaining lot was labeled in part: (Box) "Contents Butter."

On October 14, and November 4, 1943, the Cudahy Packing Co., claimant for the 50 cases, and the Dairy Products Marketing Assn., claimant for the 978 boxes, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be brought into compliance with the law. One lot was satisfactorily reworked and released for sale and one lot was removed from the wrappers, repacked in bulk containers, and sold for use in cookie dough.

5669. Adulteration and misbranding of butter. U. S. v. 25 Cases of Butter. Consent decree of condemnation. Product ordered released under bond for reprocessing. (F. D. C. No. 10985. Sample No. 47610–F.)

On October 11, 1943, the United States attorney for the Eastern District of Illinois filed a libel against 25 cases, each containing 32 pounds, of butter at National Stock Yards, Ill., alleging that the article had been shipped in interstate commerce on or about October 6, 1943, by the Monroe City Creamery from Monroe City, Mo. It was labeled in part: (Carton) "One Pound Net Swift's Brookfield Butter."

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 cartons did not contain 1 pound net as labeled.

On October 25, 1943, the Monroe City Creamery, claimant, having admitted the allegations of the libel, and the court having found that the product was adulterated as alleged and that certain cartons were short-weight, judgment of condemnation was entered and the product was ordered released under bond for reprocessing under the supervision of the Food and Drug Administration. The product was satisfactorily reworked and released for sale.

5670. Misbranding of butter. U. S. v. 10 Cases of Butter. Default decree ordering delivery of the product to charitable institutions. (F. D. C. No. 10645. Sample No. 16070–F.)

On August 5, 1943, the United States attorney for the District of Utah filed a libel against 10 cases, each containing 30 1-pound cartons, of butter at Wellsville, Utah, alleging that the article had been shipped in interstate commerce on or about July 21, 1943, by the Bear Lake Valley Dairymen's Co-op Association from Paris, Idaho; and charging that it was misbranded in that the prints did not contain 1 pound net as labeled. The article was labeled in part: (Carton) "One Pound Net Weight Golden Rod Creamery Butter."

On October 23, 1943, no claimant having appeared, judgment was entered ordering that the product be delivered to charitable institutions.