5852. Adulteration of butter. U. S. v. 15 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 11475. Sample No. 8633–F, 57467–F.)

LIBEL FILED: On or about December 15, 1943, Southern District of New York.

ALLEGED SHIPMENT: On or about November 25, 1943, by the Equity Union Creamery, Minot, N. Dak.

PRODUCT: 15 cartons, each containing approximately 66 pounds, of butter at New York, N. Y.

LABEL, IN PART: "Creamery Butter Distributed by J. J. Mullins & Co."

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: December 30, 1943. J. J. Mullins & Co., New York, N. Y., appeared as claimant and 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.

5853. Adulteration of butter. U. S. v. 117 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 11476. Sample No. 56420–F, 57465–F.)

LIBEL FILED: On or about December 15, 1943, Southern District of New York.

ALLEGED SHIPMENT: On or about November 28, 1943, by the Exira Creamery Co., Exira, Iowa.

PRODUCT: 117 cartons of butter, each containing approximately 65 pounds, at New York, N. Y.

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: December 27, 1943. J. R. Kramer, Inc., New York, N. Y., appeared as claimant and admitted the allegations of the libel. A consent decree of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

5854. Adulteration of butter. U. S. v. 25 Cartons of Butter. Decree of condemnation and forfeiture. Product released under bond for reworking. (F. D. C. No. 12204. Sample No. 40005–F, 76530–F.)

LIBEL FILED: March 28, 1944, Southern District of New York.

ALLEGED SHIPMENT: March 13, 1944, by the Red Lake Falls Creamery Co., Red Lake Falls, Minn.

PRODUCT: 25 cartons, each containing approximately 61 pounds, of butter at New York, N. Y.

LABEL, IN PART: "Distributed By Mersel & Co."

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: April 13, 1944. The Red Lake Falls Creamery appeared as claimant and admitted the allegation 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.

5855. Adulteration and misbranding of butter. U. S. v. Mountain State Creamery Co. Plea of guilty. Fine, $31. (F. D. C. No. 10586. Sample Nos. 14332–F, 14846–F, 14948–F, 15156–F, 15157–F, 39423–F.)

INFORMATION FILED: On or about November 19, 1943, District of Utah, against the Mountain State Creamery Co., a corporation, Salt Lake City, Utah.

ALLEGED SHIPMENT: From on or about December 28, 1942, to June 5, 1943, from the State of Utah into the State of California.

LABEL, IN PART: "Young's Special Butter * * * Put up for Young's Market Co.," or "One Pound Net Mountain View * * * Distributed by Mountain View Dairies, Inc. Long Beach, Los Angeles, Calif."

VIOLATIONS CHARGED: Adulteration (5 shipments), Section 402 (a) (1), in that a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (a) (2), in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding (2 shipments), Section 403 (a), in that the statement "One Pound Net," borne on the cartons, was false and misleading since each of the cartons did not contain 1 pound net of butter but contained a smaller