enjoined and restrained under the provisions of Sec. 332, U. S. Code, Title 21, from shipping in interstate commerce, in violation of Sec. 331 and Sec. 342 (a) (3), U. S. Code, Title 21, adulterated butter manufactured or to be manufactured in its Macon, Georgia, plant."

8002. Adulteration and misbranding of butter. U. S. v. Harold A. Hamilton (Eldorado Creamery Co.). Plea of guilty. Fine, $600. (F. D. C. No. 12549. Sample Nos. 49323–F, 49324–F, 49329–F.)

INFORMATION FILED: August 21, 1944, Southern District of Ohio, against Harold A. Hamilton, trading as the Eldorado Creamery Co., Eldorado, Ohio.

ALLEGED SHIPMENT: On or about February 5 and 9, 1944, from the State of Ohio into the State of Indiana.

LABEL, IN PART: (Wrappers, portions) "½ Lb. Net Wayne County Farm Bureau Produce Ass'n Distributors Richmond, Indiana Creamery Butter," or "Eldorado Creamery Butter Made By Eldorado Creamery Co. Eldorado, O."

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

Misbranding (portion), Section 403 (a), the statement on the wrappers, "½ Lb. Net," was false and misleading as applied to the article, which was short-weight; and, Section 403 (e) (2), the article was in package form and its label failed to bear an accurate statement of the quantity of the contents.

DISPOSITION: November 30, 1944. A plea of guilty having been entered, the defendant was fined $150 on each of 4 counts, a total fine of $600.

8003. Adulteration and misbranding of butter. U. S. v. Martin M. Nielsen (Clinton Pure Butter Co.). Plea of guilty. Fine, $100 and costs. (F. D. C. No. 12612. Sample No. 46921–F.)

INFORMATION FILED: January 6, 1945, Southern District of Iowa, against Martin M. Nielsen, trading as the Clinton Pure Butter Co., Clinton, Iowa.

ALLEGED SHIPMENT: On or about March 1, 1944, from the State of Iowa into the State of Illinois.

LABEL, IN PART: (Cartons) "Nielsen's Quality One Pound Butter."

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

Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents in that the label statement "One Pound" was inaccurate since the cartons contained less than 1 pound of butter.

DISPOSITION: April 3, 1945. A plea of guilty having been entered, the defendant was fined $50 on each of 2 counts, a total of $100 and costs.

8004. Adulteration and misbranding of butter. U. S. v. Beaty Grocery Co. Plea of nolo contendere. Fine, $45. (F. D. C. No. 12584. Sample Nos. 66720–F, 66815–F.)

INFORMATION FILED: October 25, 1944, Western District of Missouri, against the Beaty Grocery Co., a corporation, St. Joseph, Mo.

ALLEGED SHIPMENT: On or about February 22 and April 10, 1944, from the State of Missouri into the State of Kansas.

LABEL, IN PART: (Cartons) "One Pound Net Hy-Klas Brand Butter."

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

Misbranding (portion), Section 403 (e) (2), the article was in package form, and it failed to bear a label containing an accurate statement of the quantity of the contents, since the cartons bore the statement "One Pound Net," whereas they contained less than 1 pound of butter.

DISPOSITION: November 10, 1944. A plea of nolo contendere having been entered on behalf of the defendant, a fine of $15 on each of 3 counts, a total of $45, was imposed.