PRODUCT: 174 boxes, each containing about 52 pounds of butter, at New York, N. Y.

LABEL, IN PART: "Butter * * * Distributed by The Borden Company New York."

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: July 11, 1945. The Borden 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.

8199. Adulteration and misbranding of butter. U. S. v. 17 Cartons (1,054 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16090. Sample No. 19205-H.)

LIBEL FILED: April 11, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about March 24, 1945, by the Ethan Dairy Products Co., from Ethan, S. Dak.

PRODUCT: 17 cartons, each containing approximately 62 1-pound, unlabeled prints, of butter at New York, N. Y.

LABEL, IN PART: (Carton) "Distributed by Harry Atlas Sons New York."

VIOLATIONS CHARGED: Adulteration, 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) (1), the product failed to bear a label declaring the name and place of business of the manufacturer, packer, or distributor; and, Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: May 4, 1945. The Ethan Dairy Products Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked so as to conform with the law, under the supervision of the Food and Drug Administration.

BUTTERMILK AND CHEESE

8200. Adulteration of buttermilk. U. S. v. 20 Barrels and 85 Kegs of Buttermilk. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 16334. Sample No. 2764-H.)

LIBEL FILED: June 6, 1945, Northern District of West Virginia.

ALLEGED SHIPMENT: On or about March 23, 1945, by I. H. Nestor, from Nashville, Tenn.

PRODUCT: 20 472-pound barrels and 85 95-pound kegs of buttermilk at Wardensville, W. Va.

LABEL, IN PART: "Nesco Brand Buttermilk."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (4), starch had been added to the article so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (a), the statements on the label, "Nestco Brand Butter Milk Equal to Any—Superior to Many Pure Creamery Buttermilk Solids 27%—Protein 10%—Fat 2% * * * Condensed to a Semi-Solid * * * It is All Pure Buttermilk," were false and misleading since the article was not pure condensed buttermilk but contained added starch and contained less than the percentage of total solids, protein, and fat declared; and, Section 403 (b), the article was offered for sale under the name of another food.

DISPOSITION: July 10, 1945. The Nashville Buttermilk Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be reprocessed and relabeled under the supervision of the Food and Drug Administration.

8201. Adulteration and misbranding of condensed buttermilk. U. S. v. 11 Barrels of Condensed Buttermilk. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16359. Sample No. 4232-H.)

LIBEL FILED: June 13, 1945, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 6, 1945, by the Buttermilk Co. of New England, from Nashville, Tenn.

PRODUCT: 11 barrels of condensed buttermilk at York, Pa. Examination showed that the product contained from 6.75 to 7.37 percent protein; and