the Farmers Cooperative Creamery from Storden, Minn.; and charging that it was adulterated and misbranded. It was labeled in part: "Butter Farmers Co-op Creamery * * * First National Stores, Somerville, Mass."

It 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 it was labeled "Butter," which was false and misleading as it contained less than 80 percent of milk fat.

On June 27, 1940, the Pipestone Produce Co., of Somerville, Mass., 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 reworked so that it contain at least 80 percent by weight of milk fat.

756. Adulteration and misbranding of butter. U. S. v. 13 Cartons of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. D. C. No. 2276. Sample No. 33313–E.)

On June 19, 1940, the United States attorney for the Southern District of New York filed a libel against 13 cartons of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about June 4, 1940, by the Farmer's Co-operative Creamery Association, of Rosholt, S. Dak., in pool car shipped from Duluth, Minn.; and charging that it was adulterated and misbranded. The article was labeled in part: "Butter Distributed by F. F. Lowenfels & Son * * * New York."

It 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 it was labeled "Butter," which was false and misleading as it contained less than 80 percent by weight of milk fat.

On June 28, 1940, Farmer's Co-operative Creamery Association, 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 reworked so that it contain at least 80 percent of milk fat.

757. Adulteration and misbranding of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 2253. Sample No. 33309–E.)

On June 17, 1940, the United States attorney for the Southern District of New York filed a libel against 11 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about June 1, 1940, by the Farmers Mutual Cooperative Creamery from Sioux City, Iowa; and charging that it was adulterated and misbranded. It was labeled in part: "Carl Ahlers, Inc., Distributors New York, Butter."

It 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 it was labeled "Butter," which was false and misleading as it contained less than 80 percent milk fat.

On June 27, 1940, the Farmers Mutual Cooperative Creamery, 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 reworked so that it contain at least 80 percent milk fat.

758. Adulteration and misbranding of butter. U. S. v. 4 Cartons and 6 Boxes of Butter. Default decrees of condemnation and forfeiture. Product ordered delivered to charitable institutions. (F. D. C. Nos. 2162, 2164. Sample Nos. 10158–E, 10977–E, 10979–E.)

On May 27, 1940, the United States attorney for the Southern District of New York filed libels against 4 cartons each containing 60 pounds, and 6 boxes each containing 50 1-pound rolls of butter, at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 4 and May 11, 1940, by the Farmers' Union Cooperative Creamery from Portland, N. Dak.; and charging that it was adulterated and misbranded. The article was labeled in part: "Creamery Butter. Distributed by F. F. Lowenfels & Son, New York"; or "Creamery Butter. Distributed by Zimmer & Dunkak, Inc., New York."

It 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 statement "Butter," borne on the label, was false and misleading when applied to a product containing less than 80 percent by weight of milk fat.

On June 8, 1940, no claimant having appeared, decrees of condemnation and forfeiture were entered, and it was ordered that the product be delivered to charitable institutions for consumption and not for sale.