

Idaho; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On May 13, 1940, H. H. Hildreth, Los Angeles, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it should not be disposed of in violation of the law.

**537. Adulteration of butter. U. S. v. 9 Cubes of Butter. Consent decree of condemnation and forfeiture. Product ordered released under bond.** (F. D. C. No. 1750. Sample Nos. 13515-E, 13521-E.)

On March 22, 1940, the United States attorney for the Western District of Washington filed a libel against nine cubes of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about March 14, 1940, by the Cottonwood Dairy from Cottonwood, Idaho; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. It was labeled in part: "Walter Ely Company \* \* \* Seattle, Wash. \* \* \* Cottonwood Dairy Products."

On March 26, 1940, the Cottonwood Dairy Products, claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be released to the claimant under bond conditioned that it be brought into conformity with the law under the supervision of the Food and Drug Administration.

**538. Adulteration of butter. U. S. v. 18 Cubes and 15 Cubes of Butter. Decrees of condemnation. Product released under bond.** (F. D. C. Nos. 1749, 1902. Sample Nos. 7314-E, 7341-E.)

On March 20 and April 16, 1940, the United States attorney for the Southern District of California filed libels against 33 cubes, each containing 68 pounds, of butter at Los Angeles, Calif., alleging that the article had been introduced in interstate commerce on or about March 7 and April 4, 1940, by the Dairymen's Cooperative Creamery of Boise Valley from Caldwell, Idaho; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On April 11 and 26, 1940, the Challenge Cream & Butter Association and H. H. Hildreth, claimants for respective lots of the article, having admitted the allegations of the libels, judgments of condemnation were entered, and it was ordered that the product be released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

**539. Adulteration of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 2024. Sample No. 10966-E.)

On May 15, 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 May 7, 1940, by Farm Union Cooperative Creamery from Menno, S. Dak.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by act of March 4, 1923. The article was labeled in part: "Distributors Zenith-Godley Co. N. Y."

On May 28, 1940, Farmers Coop. Creamery, Menno, S. Dak., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it be reworked so that it contain at least 80 percent of milk fat.

**540. Adulteration and misbranding of butter. U. S. v. 24 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked.** (F. D. C. No. 2139. Sample No. 10973-E.)

On May 24, 1940, the United States attorney for the Southern District of New York filed a libel against 24 cartons of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 10, 1940, by Farmers Union Cooperative Produce Association from Devil's Lake, N. Dak.; and charging that it was adulterated and misbranded. The article was labeled in part: "Butter Distributed by Hunter, Walton & Co. New York."

It was alleged to be adulterated in that a product which contained 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" was false and misleading when applied to a product which contained less than 80 percent of milk fat.

On June 5, 1940, Farmers Union Cooperative Produce 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 butterfat.

**541. Adulteration and misbranding of butter. U. S. v. 15 Tubs of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 2026. Sample No. 14715-E.)**

On May 18, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 15 tubs of butter at Philadelphia, Pa. alleging that the article had been shipped in interstate commerce on or about May 9, 1940, by Hannover Creamery Association from New Salem, N. Dak.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat. It was alleged to be misbranded in that it was labeled "Butter," which statement was false and misleading since the product contained less than 80 percent of milk fat.

On May 21, 1940, Frank Hellerick & Co., Inc., Philadelphia, Pa., having appeared as claimant, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it should not be sold or disposed of contrary to law.

**542. Adulteration of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 2023. Sample No. 10965-E.)**

On May 15, 1940, the United States attorney for the Southern District of New York filed a libel against 10 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 7, 1940, by Hillman Creamery from Lennox, S. Dak.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter. It was labeled in part: "Gude Bros. Keiffer Co. \* \* \* New York."

On May 31, 1940, Hillman Creamery, claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it be reworked so that it contain at least 80 percent of butterfat.

**543. Adulteration and misbranding of butter. U. S. v. 6 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond for reconditioning. (F. D. C. No. 1855. Sample No. 13921-E.)**

On April 10, 1940, the United States attorney for the Western District of Washington filed a libel against six cubes of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about April 5, 1940, by the Hot Springs Creamery from Hot Springs, Mont.; and charging that it was adulterated and misbranded. It was labeled in part: "H. S. C. \* \* \* Walter Ely Co. Seattle, Wash., Distributor."

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, a product which should contain not less than 80 percent by weight of milk fat as provided by law. The article was alleged to be misbranded in that it was labeled "Butter," which was false and misleading, since it contained less than 80 percent of milk fat.

On April 16, 1940, the Hot Springs Creamery, having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

**544. Adulteration and misbranding of butter. U. S. v. 14, 16, 18, and 12 Tubs of Butter. Consent decrees of condemnation. Product ordered released under bond to be reworked. (F. D. C. Nos. 1570, 1982. Sample Nos. 85876-D, 10962-E.)**

On February 27 and May 10, 1940, the United States attorney for the Southern District of New York filed libels against 60 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about