

767. Adulteration and misbranding of butter. U. S. v. 16 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 3236. Sample No. 34169-E.)

On October 10, 1940, the United States attorney for the Southern District of New York filed a libel against 16 cartons of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about September 23, 1940, by the Langenfeld Dairy Products Co. from Watertown, S. Dak., to Minneapolis, Minn., thence in a pool shipment to New York, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: "Butter Dist. by Zimmer & Dunkak Inc. * * * New York, N. Y."

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 October 23, 1940, the Langenfeld Ice Cream Co., 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.

768. 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. 2962. Sample No. 10972-E.)

On May 22, 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 May 11, 1940, by the Le Sueur Creamery Co., of Le Sueur, Minn., from Duluth, Minn.; and charging that it was adulterated and misbranded. It was labeled in part: (Top) "148 Butter S. & W. Waldbaum Inc., 4613 Distributors New York, N. Y."

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 7, 1940, the claimant, the Le Sueur Creamery Co., 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.

769. Adulteration of butter. U. S. v. 20 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. D. C. No. 2626. Sample No. 4860-E.)

On or about July 18, 1940, the United States attorney for the Northern District of Illinois filed a libel against 20 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about June 26, 1940, by the Lykens Co-operative Creamery from Centuria, Wis.; 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: "Distributed by the Kroger Grocery & Baking Co., * * * Chicago, Ill."

On July 25, 1940, the Lykens Co-operative 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 comply with the law.

770. Adulteration and misbranding of butter. U. S. v. 4 Cartons and 4 Cases of Butter. Default decrees of condemnation and destruction. (F. D. C. Nos. 2246, 2248. Sample Nos. 2392-E, 2842-E.)

On June 10 and 12, 1940, the United States attorney for the District of Massachusetts filed libels against four cartons of butter at Boston, Mass., and four cases of butter at East Watertown, Mass., alleging that the article had been shipped in interstate commerce on or about June 5 and 9, 1940, by the Lyndonville Creamery Association from Lyndonville, Vt.; and charging that it was adulterated and misbranded. It was labeled in part: "Speedwell Farms Choice Creamery Butter."

The article was alleged to be adulterated in that a product containing less than 80 percent 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 July 16, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.