787. Adulteration and misbranding of butter. U. S. v. 13 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 3168. Sample No. 34155–E.)

On October 1, 1940, the United States attorney for the Southern District of New York filed a libel against 13 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about September 13, 1940, by the Roslyn Creamery Co. from Roslyn, S. Dak.; and charging that it was adulterated and misbranded. It was labeled in part: "Butter Distributed by Zimmer & Dunkak * * * 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 of milk fat.

On October 14, 1940, the Roslyn Creamery 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 of milk fat.

788. Adulteration and misbranding of butter. U. S. v. 15 Cartons of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. D. C. No. 2291. Sample No. 33319–E.)

On June 20, 1940, the United States attorney for the Southern District of New York filed a libel against 15 cartons of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about June 6, 1940, by the Rum River Creamery Co., of Milaca, Minn., from Minneapolis, Minn.; and charging that it was adulterated and misbranded. It was labeled in part: "Butter Distributed by Hunter, Walton & Co. * * * New York."

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. 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 July 12, 1940, the Rum River Creamery 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.

789. Adulteration and misbranding of butter. U. S. v. 13 Boxes of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 1872. Sample Nos. 14636–E, 14641–E.)

On April 19, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 13 boxes of butter at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about April 12, 1940, by Sac City Creamery Co. from Sac City, Iowa; and charging that it was adulterated and misbranded. It was labeled in part: (Box) "Distributed by J. G. Haldeman & Bro. * * * Phila. Pa."; (print) "Butter * * * Sac City Creamery Co. Sac City, Iowa."

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. It was alleged to be misbranded in that the statement "Butter," on the label, was false and misleading as applied to a product which contained less than 80 percent by weight of milk fat.

On April 22, 1940, Sac City Creamery Co., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that it should not be sold or disposed of contrary to law.

790. Adulteration and misbranding of butter. U. S. v. 20 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. D. C. No. 3028. Sample No. 33356–E.)

On September 9, 1940, the United States attorney for the Southern District of New York filed a libel against 20 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 25, 1940, by the Scotland Creamery from Scotland, S. Dak.; and charging that it was adulterated and misbranded. It was labeled in part: "Distributors Zenith-Godley Co. N. Y."

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. It was alleged to be misbranded in that the package was labeled "Butter," which was false and misleading as it contained less than 80 percent of milk fat.