

for butter. The article was labeled in part: "Butter One Pound Net Frank Hellerick Co., Inc., Phila., Pa., Wholesale Distributors."

On June 16, 1942, the defendants having entered pleas of guilty, the court imposed a fine of \$15 against (Mrs.) Emma Southard, and sentenced George I. Southard to 20 days in jail.

3686. Adulteration of butter. U. S. v. St. Clair Cooperative Creamery Association. Plea of guilty. Fine, \$30. (F. D. C. No. 6410. Sample No. 40913-E.)

On April 27, 1942, the United States attorney for the District of Minnesota filed an information against St. Clair Cooperative Creamery Association, a corporation at St. Clair, Minn., alleging delivery for introduction in interstate commerce on or about June 18, 1941, from the State of Minnesota into the State of Pennsylvania of a quantity of butter which was adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom, and 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: "Butter Distributed by C G Heyd & Co. * * * Phila. Pa."

On April 27, 1942, the defendant having entered a plea of guilty, the court imposed a fine of \$30.

3687. Adulteration of butter. U. S. v. David E. Glatt and Charles Taylor (Sni-A-Bar Creamery Co.). Pleas of guilty. Fines totaling \$20. (F. D. C. No. 7202. Sample No. 73295-E.)

On May 19, 1942, the United States attorney for the Western District of Missouri filed an information against David E. Glatt and Charles Taylor, copartners, trading as Sni-A-Bar Creamery Co. at Independence, Mo., alleging shipment on or about November 13, 1941, from the State of Missouri into the State of Kansas of a quantity of butter that was adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that an article containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: (Wrappers) "Daisy Maid Brand Creamery Butter. * * * The Cudahy Packing Co., Distributors * * * Chicago, Ill."

On June 25, 1942, pleas of guilty having been entered, the court imposed a fine of \$10 upon each defendant.

3688. Adulteration and misbranding of butter. U. S. v. Swisher Creamery. Plea of guilty. Fine, \$25. (F. D. C. No. 6437. Sample Nos. 22904-E, 22906-E, 22908-E, 22909-E, 22912-E, 22913-E, 22914-E, 22916-E, 72113-E, 72117-E, 53574-E.)

This product was deficient in milk fat with the exception of one lot, which was short weight.

On April 30, 1942, the United States attorney for the Northern District of Texas filed an information against Swisher Creamery, a corporation at Tulia, Tex., alleging shipment within the period from on or about May 24 to October 17, 1941, from the State of Texas into the States of California and Arizona of 6 shipments of butter, of which 5 were adulterated and the remaining lot was misbranded. A portion of the article was in prints labeled in part: (Cartons) "Rainbow Butter * * * One Pound Net Distributed by Dickey-Davis Co. Phoenix, Arizona * * * Churned By Swisher Creamery, Inc."

The article with the exception of the print butter, was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

The print butter was alleged to be misbranded in that the statement "One Pound Net," appearing on the cartons, was false and misleading since the cartons contained less than 1 pound of butter; and in that it was in package form and its label did not bear an accurate statement of the quantity of the contents in terms of weight.

On June 8, 1942, the defendant entered a plea of guilty and the court imposed a fine of \$25.

3689. Adulteration of butter. U. S. v. Turtle Lake Cooperative Creamery Association. Plea of guilty. Fine, \$50. (F. D. C. No. 6474. Sample No. 74547-E.)

One May 7, 1942, the United States attorney for the Western District of Wisconsin filed an information against Turtle Lake Cooperative Creamery Association, a corporation at Turtle Lake, Wis., alleging shipment on or about October 6, 1941, from the State of Wisconsin into the State of New Jersey of a

quantity of butter that was adulterated in that a valuable constituent milk fat, had been in part omitted therefrom; and in that an article containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Butter—June Dairy Products Co., Inc. Distributors Jersey City, N. J."

On June 2, 1942, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50.

3690. Adulteration of butter. U. S. v. Wayne O. Stevenson (Valentine Creamery Co.). Plea of guilty. Fine, \$25. (F. D. C. No. 6495. Sample Nos. 62236-E, 62239-E.)

On May 20, 1942, the United States attorney for the District of Nebraska filed an information against Wayne O. Stevenson, trading as Valentine Creamery Co. at Valentine, Nebr., alleging shipment on or about June 15 and 23, 1941, from the State of Nebraska into the State of Illinois of quantities of butter that was adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that an article containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Butter L. D. Schreiber & Co., Inc. Distributors."

On June 27, 1942, the defendant entered a plea of guilty and the court imposed a fine of \$25 and costs.

3691. Adulteration 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. 7553. Sample No. 76984-E.)

On May 18, 1942, 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 May 6, 1942, by the Becker Creamery from Becker, Minn.; 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. The article was labeled in part: "Fortgang Bros. 6586 N. Y. * * * Butter."

On June 1, 1942 Fortgang Bros., Inc., New York, N. Y., 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 under the supervision of the Food and Drug Administration so that it contain at least 80 percent of milk fat.

3692. Adulteration of butter. U. S. v. 14 Boxes of Butter. Consent decree of condemnation. Product ordered released under bond to be reprocessed. (F. D. C. No. 6793. Sample No. 62384-E.)

On December 23, 1941, the United States attorney for the Northern District of Illinois filed a libel against 14 62-pound boxes of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about December 11, 1941, by the Blue River Creamery Co. from Hastings, Nebr.; and charging that it was adulterated. It was labeled in part: "L D Schreiber Inc Distributors Chicago Illinois Net Wt 62 Lbs."

The article was alleged to be adulterated in that an article containing less than 80 percent by weight of milk fat had been substituted for butter.

On January 15, 1942, L. D. Schreiber & Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reprocessed so that it might be sold without violation of the law, either State or Federal.

3693. Adulteration of butter. U. S. v. 14 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 6145. Sample No. 74549-E.)

On October 22, 1941, the United States attorney for the Southern District of New York filed a libel against 14 cartons of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 10, 1941, by the Drayton Creamery from Drayton, N. Dak.; 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. The article was labeled in part: "J. R. Kramer, Inc. 2540 New York."

On November 3, 1941, the Drayton 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, under the supervision of the Food and Drug Administration, so that it contain at least 80 percent of butterfat.