

ALLEGED SHIPMENT: On or about April 29, 1944, by the Farmers Union Cooperative Creamery, from Portland, N. Dak.

PRODUCT: 34 cartons, each containing approximately 64 pounds, of butter, at New York, N. Y.

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: May 29, 1944. The Farmers Union Cooperative Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

6469. Adulteration of butter. U. S. v. 689 Boxes (41,340 pounds) and 14 Prints of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 12203. Sample No. 49946-F.)

LIBEL FILED: March 28, 1944, Western District of New York.

ALLEGED SHIPMENT: On or about August 17, 1943, by the Dairy Products Marketing Association, from Youngstown, Ohio.

PRODUCT: 689 60-pound boxes and 14 1-pound prints of butter, at Buffalo, N. Y.

LABEL, IN PART: (Box) "The Isaly Dairy Co., Youngstown, O."; (wrapper) Isaly's Brand Butter Manufactured By the Isaly Dairy Co., Youngstown, Ohio."

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: May 2, 1944. The Isaly Dairy Co., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

6470. Adulteration of butter. U. S. v. 20 Boxes and 19 Boxes (2,340 pounds) of Butter. Decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 12388. Sample No. 60423-F.)

LIBEL FILED: May 1, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about April 7, 1944, by the Golden State Co., Ltd., from Minneapolis, Minn.

PRODUCT: 39 60-pound boxes of butter, at San Francisco, Calif.

LABEL, IN PART: (Boxes) "Plato Dairy Ass'n Plato Minn."

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: May 16, 1944. The Golden State Co., Ltd., Minneapolis, Minn., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of an employee of the Federal Security Agency.

6471. Adulteration and misbranding of butter. U. S. v. 19 Cases and 1 Case of Butter (and 2 other seizure actions against butter). Decrees of condemnation. One lot ordered released under bond, 1 lot ordered delivered to a charitable institution, and remainder ordered disposed of for war purposes. (F. D. C. Nos. 12796, 13146, 13875. Sample Nos. 67760-F, 67883-F, 68228-F.)

LIBELS FILED: Between May 6 and August 12, 1944, Eastern District of Kentucky.

ALLEGED SHIPMENT: From on or about May 4 to August 10, 1944, by the Merchants Creamery Co., Cincinnati, Ohio.

PRODUCT: Butter: 26 30-pound cases, 1 12-pound case, and 16 32-pound cases at Fort Thomas, Ky.

Examination of samples showed that a portion of the product contained mold, and that the remainder was short-weight.

LABEL, IN PART: (Cartons) "Jersey Farm Dairy, 1 lb. Net Wt., Creamery Butter, Distributed by Jersey Farm Dairy, Ft. Thomas, Ky."

VIOLATIONS CHARGED: Adulteration (2 lots), Section 402 (a) (3), the product consisted in whole or in part of a filthy or decomposed animal substance.

Misbranding (1 lot), Section 403 (a) and Section 403 (e) (2), the cartons did not contain "1 Lb. Net Wt.," as labeled.

DISPOSITION: On May 29 and July 26, 1944, no claimant having appeared for the misbranded lot and one of the adulterated lots, judgments of condemnation were entered and the former was ordered delivered to a charitable institution and the latter was ordered disposed of for war purposes. On September 8, 1944, the Merchants Creamery Co., claimant for the remaining adulterated lot, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for rendering or refining into a product not intended for human consumption, under the supervision of the Food and Drug Administration.

6472. Adulteration and misbranding of butter. U. S. v. 20 Cases of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12795. Sample No. 59481-F.)

LIBEL FILED: April 27, 1944, Northern District of Indiana.

ALLEGED SHIPMENT: On or about April 3, 1944, by the C. W. Bush Co., Kankakee, Ill.

PRODUCT: 20 cases, each containing 50 1-pound prints, of butter at Hammond, Ind.

LABEL, IN PART: (Wrapper) "Delicious Brand * * * Churned by Kankakee Butter Co., Kankakee, Ill. One Pound Net."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding, Section 403 (e) (2), the prints did not contain "One Pound Net," as labeled.

DISPOSITION: May 9, 1944. Charles W. Bush, trading as the C. W. Bush Co., Hammond, Ind., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked and brought into compliance with the law under the supervision of the Food and Drug Administration.

6473. Misbranding of butter. U. S. v. 32 Boxes, 31 Boxes, and 27 Boxes of Butter. Decree of condemnation. Product ordered released under bond to be repacked and relabeled. (F. D. C. No. 12061. Sample No. 39270-F.)

LIBEL FILED: January 17, 1944, Southern District of California.

ALLEGED SHIPMENT: On or about December 31, 1943, by the Farmers Union Cooperative Creamery Co., from Fairbury, Nebr.

PRODUCT: 90 boxes, each containing 48 1-pound prints, of butter at Los Angeles, Calif.

LABEL, IN PART: (Print) "One Pound Net Clover Leaf Brand Creamery Butter Manufactured by Clover Leaf Dairies."

VIOLATION CHARGED: Misbranding, Section 403(a), the prints did not contain "One Pound Net," as labeled.

DISPOSITION: February 24, 1944. W. K. Wilson, trading as the Peerless Egg Co., Los Angeles, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for repacking and relabeling under the supervision of the Food and Drug Administration.

6474. Misbranding of butter. U. S. v. 60 Cases of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 11115. Sample Nos. 35535-F.)

LIBEL FILED: October 21, 1943, Western District of North Carolina.

ALLEGED SHIPMENT: On or about October 12, 1943, by the Cherokee Creamery, Inc., from Cedartown, Ga.

PRODUCT: 60 cases, each containing 30 1-pound cartons, of butter, at Charlotte, N. C.

LABEL, IN PART: (Cartons) "Cherokee Rose Process Butter 1 Pound Net."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statements on the carton "1 Pound Net," and on the print wrapper, "Net Weight Not Less Than 4 Ozs.," were false and misleading as applied to the article, which was short-weight; and, Section 403 (e) (2), it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: November 22, 1943. The Cherokee Creamery, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was en-