

8701. Adulteration of butter. U. S. v. 11 Cartons (704 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond.
(F. D. C. No. 15335. Sample No. 6082-H.)

LIBEL FILED: February 14, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about January 24, 1945, by the Mayville Creamery Co., from Mayville, N. Dak.

PRODUCT: 11 64-pound cartons of butter at New York, N. Y.

LABEL, IN PART: "Butter * * * George Wittner & Co., Inc., New York."

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

DISPOSITION: February 28, 1945. George Wittner & Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

8702. Adulteration of butter. U. S. v. 26 Cartons (1,300 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond.
(F. D. C. No. 15333. Sample Nos. 5656-H, 18532-H.)

LIBEL FILED: February 15, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about January 17, 1945, by the Roslyn Creamery Co., from Roslyn, S. Dak.

PRODUCT: 26 cartons of butter, each containing 50 1-pound prints, at New York, N. Y.

LABEL, IN PART: "Creamery Butter Distributed by Zimmer & Dunkak, Inc., 3525 New York, N. Y."

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

DISPOSITION: March 1, 1945. 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 for reworking under the supervision of the Food and Drug Administration.

8703. Adulteration of butter. U. S. v. 36 Cartons (2,304 pounds) of butter. Consent decree of condemnation. Product ordered released under bond.
(F. D. C. No. 15329. Sample No. 5647-H.)

LIBEL FILED: January 25, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about January 13, 1945, by the Hartley Creamery, from Hartley, Iowa.

PRODUCT: 36 cartons, each containing approximately 64 pounds, of butter at New York, N. Y.

LABEL, IN PART: "Butter Distributed by J. O. Marshall, Draper Valley Distributors, Inc., 503 New York, N. Y."

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

DISPOSITION: March 1, 1945. The Draper Valley Distributors, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

8704. Misbranding of butter. U. S. v. 34 Boxes (1,088 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond.
(F. D. C. No. 15327. Sample Nos. 10202-H, 10203-H.)

LIBEL FILED: January 22, 1945, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about January 10, 1945, by the Cudahy Packing Co., from Washington Court House, Ohio.

PRODUCT: 34 32-pound boxes of butter at Beaver Falls, Pa.

LABEL, IN PART: "Daisy Maid Brand Creamery Butter," or "Cudahy's Sunlight Creamery Butter."

NATURE OF CHARGE: Misbranding, Section 403 (a) and (e), the prints did not contain "One lb. net," as labeled.

DISPOSITION: February 1, 1945. The Cudahy Packing Co., claimant, having admitted the allegations in the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be repacked to the declared weight, under the supervision of the Food and Drug Administration.

8705. Misbranding of butter. U. S. v. 60 Cases of Butter. Default decree of condemnation. Product ordered sold for use in the manufacture of soap. (F. D. C. No. 15328. Sample Nos. 39895-F, 39896-F.)

LIBEL FILED: October 11, 1944, Southern District of California.

ALLEGED SHIPMENT: On or about October 2, 1944, by the Farmers Equity Coop. Creamery, from Denver, Colo.

PRODUCT: 60 cases of butter at Venice, Calif.

LABEL, IN PART: (Prints) "Net Weight 1 Pound [or "One Pound"] Edgemar Brand Butter Distributed by Edgemar Farms Venice, Calif."

NATURE OF CHARGE: Misbranding, Section 403 (a), the labeling was false and misleading since the prints did not contain 1 pound, as labeled.

DISPOSITION: November 6, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold for use in the manufacture of soap, under the supervision of the Food and Drug Administration.

8706. Misbranding of butter. U. S. v. 15 Cases (450 pounds) of Butter. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 15331. Sample No. 86354-F.)

LIBEL FILED: December 27, 1944, District of Colorado.

ALLEGED SHIPMENT: On or about October 21, 1944, by the Minden Creamery Co., Minden, Nebr.

PRODUCT: 15 30-pound cases of butter at Denver, Colo. Examination showed that the product was short-weight.

LABEL, IN PART: (Prints) "1 Lb. Net Weight."

NATURE OF CHARGE: Misbranding, Sections 403 (a) and (e), the prints did not contain "1 Lb.," as labeled.

DISPOSITION: February 21, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered distributed to charitable institutions.

8707. Misbranding of process butter. U. S. v. 20 Cases (600 pounds) of Process Butter. Default decree of condemnation. Product ordered sold to a soap manufacturer. (F. D. C. No. 15111. Sample No. 63816-F.)

LIBEL FILED: On or about December 20, 1944, Southern District of Florida.

ALLEGED SHIPMENT: On or about November 20, 1944, by the Cherokee Creamery, Inc., Cedartown, Ga.

PRODUCT: 20 cases, each containing 30 1-pound cartons, of process butter at Tampa, Fla.

LABEL, IN PART: (Cartons and prints) "Cherokee Rose Process Butter."

NATURE OF CHARGE: Misbranding, Section 403 (a), the statement on the carton, "1 Pound Net," and the statement on the print wrapper, "Net Weight Not Less Than 4 ozs.," were false and misleading as applied to the product, which was short-weight; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: January 17, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold to a soap manufacturer.

CHEESE*

8708. Adulteration of grated cheese. U. S. v. Ehrat Cheese Co., Inc. Plea of guilty. Fine, \$1,000 and costs. (F. D. C. No. 12599. Sample Nos. 30371-F, 60511-F, 60541-F, 60545-F.)

INFORMATION FILED: December 1, 1944, Northern District of Illinois, against the Ehrat Cheese Co., Inc., Chicago, Ill.

ALLEGED SHIPMENT: Between the approximate dates of November 26, 1943, and February 2, 1944, from the State of Illinois into the State of California.

*See also No. 8693