

5, 1942, by the Devine Creamery from Devine, Tex.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part "Clearbrook."

On June 8, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3705. Adulteration of cheese. U. S. v. 408 Cartons of Cheese. Decree of condemnation with provision for segregation of fit from the unfit and release of former. (F. D. C. No. 6207. Sample No. 53581-E.)

This product contained rodent hairs and insect fragments.

On November 12, 1941, the United States attorney for the Southern District of California filed a libel against 408 cartons of cheese at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about October 3, 1941, by the Kraft Phenix Cheese Co. from Portales, N. Mex.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part "Elkhorn Brand Whole Milk Cheese."

On February 5, 1942, the Plains Cooperative, Inc., claimant and owner, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that while the product was still in possession of the United States marshal, the fit portion be separated from the unfit under the supervision of the Food and Drug Administration; it was ordered further that the fit portion be released to the claimant and that the unfit be disposed of as directed by the Food and Drug Administration.

3706. Adulteration and misbranding of cheese. U. S. v. 19 and 26 Longhorn Cheeses. Default decrees of condemnation and destruction. (F. D. C. Nos. 7344, 7404. Sample Nos. 80067-E, 80074-E.)

This product was contaminated with rodent hairs; and one shipment was deficient in milk fat.

On April 15 and 27, 1942, the United States attorney for the Southern District of Ohio filed libels against 45 longhorn cheeses at Cincinnati, Ohio, which had been consigned on or about March 30 and April 20, 1942, alleging that the article had been shipped in interstate commerce by the Kyle Creamery Association from Aurora, Ind.; and charging that it was adulterated and that a portion was also misbranded.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have been contaminated with filth. A portion was alleged to be adulterated further in that a product deficient in milk fat had been substituted wholly or in part for longhorn whole milk cheese, which it purported to be.

The said portion was alleged to be misbranded in that it purported to be cheese, a food for which a definition and standard of identity had been designated by regulations as prescribed by law, but it failed to conform to such definition and standard because its solids contained less than 50 percent of milk fat.

On May 21 and June 11, 1942 no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3707. Adulteration of Cheddar cheese. U. S. v. 31 Cheddars. Default decree of condemnation and destruction. (F. D. C. No. 7462. Sample No. 73060-E.)

This product contained hair fragments resembling rodent hairs, miscellaneous dirt, and fragments of a substance resembling paint.

On May 9, 1942, the United States attorney for the Western District of Missouri filed a libel against 31 Cheddar cheeses at Springfield, Mo., alleging that the article had been shipped in interstate commerce on or about April 7, 1942, by Osage Milk Products Co. from Osage City, Kans.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On July 27, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.