

a substance containing less than 80 percent by weight of milk fat had been substituted in whole or in part for butter.

It was alleged to be misbranded in that it was food in package form and failed to bear a label containing: (1) the name and place of business of the manufacturer, packer, or distributor; (2) an accurate statement of the quantity of the contents in terms of weight; and (3) the common or usual name of the article.

On September 24, 1942, Walter Englund, trading as Palace Dairy, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking and relabeling under the supervision of the Food and Drug Administration.

CHEESE

4124. Adulteration of Cheddar cheese. U. S. v. Sego Milk Products (Western Creamery Co.) Plea of guilty. Fine \$150. (F. D. C. No. 7668. Sample No. 92249-E.)

On September 19, 1942, the United States attorney for the District of Utah filed an information against the Sego Milk Products Co., a corporation trading as Western Creamery Co. at Salt Lake City and Neola, Utah, alleging shipment on or about January 27, 1942, from the State of Utah into the State of California of a quantity of Cheddar cheese that was adulterated in that it contained an added deleterious substance, glass, which might have rendered it injurious to health.

On October 3, 1942, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$150.

4125. Adulteration of cheese. U. S. v. Columbia Cheese Co. Plea of nolo contendere. Judgment of guilty. Fine \$100. (F. D. C. No. 7290. Sample No. 58265-E.)

This product was in part decomposed and contained insect eggs, larvae, pupae, mites, hairs, and insect fragments.

On August 26, 1942, the United States attorney for the Eastern District of Pennsylvania filed an information against the Columbia Cheese Co., a corporation, at Philadelphia, Pa., alleging shipment on or about October 21, 1941, from the State of Pennsylvania into the State of Wisconsin of a quantity of cheese that was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance.

On September 9, 1942, a plea of nolo contendere having been entered on behalf of the defendant, the court found the defendant guilty and imposed a fine of \$100.

4126. Adulteration of cheese. U. S. v. Tolibia Cheese Corporation. Plea of guilty. Fine \$50. (F. D. C. No. 7670. Sample No. 62386-E.)

On September 18, 1942, the United States attorney for the Eastern District of Wisconsin, filed an information against the Tolibia Cheese Corporation, trading at Fond du Lac, Wis., alleging shipment, within the period from on or about November 7 to on or about November 10, 1941, from the State of Wisconsin into the State of Illinois, of a quantity of cheese that was adulterated in that it consisted in whole or in part of a filthy substance by reason of the presence therein of insect fragments, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Brand T Cheese."

On October 29, 1942, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$50.

4127. Adulteration of Cheddar cheese. U. S. v. 48 Cheddar Cheeses. Consent decree of condemnation. Product ordered released under bond for denaturing for use as animal feed. (F. D. C. No. 7644. Sample Nos. 94554-E to 94557-E, incl.)

This product contained metal fragments and miscellaneous dirt and one portion, in addition, contained rodent hairs.

On June 12, 1942, the United States attorney for the Southern District of Illinois filed a libel against 48 Cheddar cheeses at Valley City, Ill., alleging that the article had been shipped in interstate commerce within the period from on or about May 11 to on or about May 22, 1942, by the Kahoka Cheese Co. from Kahoka, Mo.; 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.

On October 22, 1942, J. F. Steinmann, claimant, having consented to the entry of decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be denatured under the supervision of

the Food and Drug Administration so that it could not be used for human consumption.

Nos. 4128 to 4138 report the seizure of cheese that contained one or more of various types of filth contamination such as insects, insect fragments, rodent hairs, cow hairs fragments, and miscellaneous filth.

4128. Adulteration of cheese. U. S. v. 42 Boxes of Cheeses. Default decree of condemnation. Product ordered delivered to War Salvage Committee. (F. D. C. No. 8337. Sample No. 18016-F.)

On September 10, 1942, the United States attorney for the Southern District of New York filed a libel against 42 boxes, each containing 10 3-pound cheeses, at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about September 3, 1942, by the Rosedale Dairy Co., Inc., from New Berlin, Pa.; 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: (Wrapper) "Catskill Brand Fancy Cream Cheese."

On October 1, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to the New York City Salvage Committee.

4129. Adulteration of Cheddar cheese. U. S. v. 140 Daisies of Cheddar Cheese. Default decree of condemnation and destruction. (F. D. C. No. 8297. Sample No. 6034-F.)

On August 31, 1942, the United States attorney for the Western District of Tennessee filed a libel against 140 daisies, each containing from 21 to 25 pounds, of Cheddar cheese at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about July 25, 1942, by the Associated Dairies, Inc., from St. Louis, Mo.; and charging that it was adulterated in that it consisted wholly or in part of filthy substances, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On October 16, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to the War Production Board for conversion into inedible grease for use in the war program.

4130. Adulteration of process cheese. U. S. v. 944 Boxes of Process Cheese. Default decree of condemnation. Product ordered denatured and salvaged. (F. D. C. No. 8306. Sample No. 28714-F.)

On September 1, 1942, the United States attorney for the Middle District of North Carolina filed a libel against 944 boxes, each box containing a 5-pound loaf of cheese, at Winston-Salem, N. C., alleging that the article had been shipped in interstate commerce on or about July 31, 1942, by H. M. Scott from Sweetwater, Tenn.; 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: "Mountain Dale Brand Process Cheese."

On September 25, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a salvage concern and the fat salvaged for war purposes.

4131. Adulteration of cheese. U. S. v. 84 Boxes of Cheese. Default decree of condemnation. Product ordered salvaged for war purposes. (F. D. C. No. 7946. Sample No. 7506-F.)

On July 18, 1942, the United States attorney for the District of Minnesota filed a libel against 84 boxes of cheese at Albert Lea, Minn., alleging that the article had been shipped in interstate commerce on or about July 6, 1942, by the Frankville Cooperative Cheese Factory from Frankville, Iowa; 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 may have become contaminated with filth. The article was labeled in part: "Clear Brook Colby."

On September 8, 1942, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed. On October 27, the decree was amended to provide for its sale for salvage of the fat for military purposes.