

On September 24, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On August 12, 1943, the order of condemnation was amended providing for the sale of the product to the highest bidder for use other than for human consumption.

4972. Adulteration of Cheddar cheese. U. S. v. 45 Boxes of White Cheddar Cheese. Default decree of condemnation. Product ordered sold. (F. D. C. No. 7779. Sample No. 86579-E.)

On June 17, 1942, the United States attorney for the Western District of Wisconsin filed a libel against 45 boxes of white Cheddar cheese at Monroe, Wis., alleging that the article had been shipped in interstate commerce on or about May 15, 1942, by the Davis Cheese Co, from Davis, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On October 16, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On August 12, 1943, the order of condemnation was amended providing for sale of the product to the highest bidder for purposes other than for human consumption.

4973. Adulteration of Cheddar cheese. U. S. v. 107 Hoops and 8 Boxes of Cheddar Cheese. Decree of condemnation. Product ordered released under bond for reworking. (F. D. C. Nos. 7890, 7891. Sample Nos. 7301-F, 7302-F, 7401-F.)

On July 14, 1942, the United States attorney for the District of Minnesota filed libels against 107 hoops of Cheddar cheese at South St. Paul, Minn., and 8 boxes of cheese at Pine Island, Minn., alleging that the article had been shipped in interstate commerce within the period from on or about June 15 to 30, 1942, by the John Stettler Estate, Riceville, Iowa; 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 may have become contaminated with filth.

On November 14, 1942, Elise Stettler, as administratrix of the estate of John Stettler, filed an answer denying the allegation of adulteration. On June 14, 1943, the claimant having filed a new answer admitting the material 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. It was denatured and disposed of for animal feed.

4974. Adulteration of Cheddar cheese. U. S. v. 127 Boxes of Cheese. Default decree of condemnation. Product ordered sold. (F. D. C. No. 7965. Sample No. 7210-F.)

On July 23, 1942, the United States attorney for the Western District of Wisconsin filed a libel against 127 71-pound boxes of cheese at Fennimore, Wis., alleging that the article had been shipped in interstate commerce on or about July 8, 1942, by the Gunder Cooperative Cheese Factory from Gunder, Iowa; 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 may have become contaminated with filth. The article was labeled in part: (Cheese) "AJG Cheddar Cheese Iowa Cheese Graders No. 160."

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4975. Adulteration of Cheddar cheese. U. S. v. 168 Cheeses. Default decree of condemnation. Product ordered sold. (F. D. C. No. 8283. Sample No. 7717-F.)

On August 29, 1942, the United States attorney for the Western District of Wisconsin filed a libel against 168 cheeses at Thorp, Wis., alleging that the article had been shipped in interstate commerce on or about July 17, 1942, by Stuart C. Johnsrud from Cresco, Iowa; and charging that it was adulterated in that it consisted in whole or in part of filthy substances and decomposed substances caused by gassy fermentation.

On September 24, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On August 12, 1943, the order of condemnation was amended providing for the sale of the product to the highest bidder for use for other than human consumption.

4976. Adulteration and misbranding of Cheddar cheese. U. S. v. 8 Daises (in cases) of Cheddar Cheese. Default decree of condemnation and destruction. (F. D. C. No. 9249. Sample No. 9841-F.)

On January 29, 1943, the United States attorney for the Eastern District of Louisiana filed a libel against 8 daises of Cheddar cheese (in cases) at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about

December 26, 1942, by Swift & Co., from Springfield, Mo.; and charging that it was adulterated and misbranded.

It was alleged to be adulterated in that a valuable constituent, milk fat, had been wholly or in part omitted or abstracted therefrom. It was alleged to be misbranded in that it purported to be and was represented as Cheddar cheese, a food for which a definition and standard of identity had been prescribed by regulations promulgated pursuant to law, but it failed to conform to such definition and standard since it contained, in its solids, less than 50 percent of milk fat as required by such regulations.

On June 21, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS DAIRY PRODUCTS

4977. Adulteration of cream. U. S. v. 2 10-Gallon Cans of Cream (and 9 additional seizure actions against cream). Consent decrees of condemnation and destruction. Amended decree ordering product delivered to creamery for salvage of the milk fat and its sale for war purposes. (F. D. C. Nos. 9288, 9291 to 9295, incl., 9297 to 9300, incl. Sample Nos. 15244-F, 15256-F, 15941-F, 15944-F, 15946-F, 15948-F, 15951-F, 15954-F to 15957-F, incl., 15959-F, 15960-F, 16116-F, 16120-F, 16121-F, 16123-F.)

Between January 4 and 12, 1943, the United States attorney for the District of Colorado filed 10 libels against a total of 50 10-gallon cans of cream at Denver, Colo., alleging that the article had been shipped in interstate commerce within the period from on or about December 30, 1942, to January 9, 1943, by the Cooperative Union Mercantile Co. from Blackwolf, Kans., Klein Produce from Goodland, Kans., Bert E. Smith from York, Nebr., A. L. Bangert from Big Springs, Nebr., Campbell Produce from Berkelman, Nebr., Stensvad Poultry Co. from North Platt, Nebr., Beauty Girl Non-Stock Cooperative from Gering, Nebr., M. F. Brestel from Brady Island, Nebr., L. M. Strickler from Wheatland, Wyo., Glen L. Horney from Brewster, Kans., Fred J. Toll from Sharon Springs, Kans., Clyde Adams from St. Francis, Kans., Milt's Produce from Colby, Kans., and Ernest Roloff from Oshkosh, Nebr.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

Between January 4 and 12, 1943, the consignees having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered destroyed. On January 13, 1943, an amended decree was entered setting aside the orders of destruction and ordering delivery of the cream to a creamery for salvaging the milk fat and selling it for war purposes.

4978. Adulteration of cream. U. S. v. 2 10-Gallon Cans of Cream. Consent decree of condemnation and destruction. (F. D. C. 9465. Sample No. 15922-F.)

On February 8, 1943, the United States attorney for the District of Colorado filed a libel against 2 10-gallon cans of cream at Denver, Colo., alleging that the article had been shipped in interstate commerce on or about January 14, 1943, by Milt's Produce from Colby, Kans.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On February 8, 1943, the consignee having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered ordering the product destroyed.

4979. Adulteration of cream. U. S. v. 3 10-Gallon Cans and 1 10-Gallon Can of Cream. Consent decrees of condemnation. Product ordered destroyed. (F. D. C. No. 9571, 9572. Sample Nos. 15611-F, 15969-F.)

On or about February 26 and March 2, 1943, the United States attorney for the District of Colorado filed libels against 4 10-gallon cans of cream at Denver, Colo., alleging that the article had been shipped in interstate commerce on or about February 15 and 17, 1943, by Plettner Bros. from Friend, Nebr., and Bert E. Smith from York, Nebr.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On the same dates as the institution of the actions, the consignees having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered destroyed.

4980. Adulteration and misbranding of imitation butter. U. S. v. 92 Cartons of an Article Labeled in Part "Hood's Creamery Pack," (and 3 additional seizure actions against other lots of the same product). Decrees of condemnation. Product ordered sold to a rendering plant. (F. D. C. Nos. 9598, 9716, 9717, 9719. Sample Nos. 20413-F, 20467-F to 20471-F, incl.)

This product was a smooth, light yellow or cream-colored paste with a butter-like taste. It contained gum, gelatin, and artificial color. The average butterfat content of the samples ranged from 28.31 to 33.01 percent, and average moisture from 54.99 to 60.12 percent.