

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: June 14, 1944. Pipestone Produce Co., Somerville, Mass., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released, upon deposit of cash collateral, to be reworked under the supervision of the Food and Drug Administration.

6089. Adulteration of butter. U. S. v. 19 Cartons of Butter. Decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 12782. Sample No. 40508-F.)

LIBEL FILED: June 20, 1944, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 14, 1944, by the Sauk Lake Cooperative Creamery Association, from St. Paul, Minn.

PRODUCT: 19 62-pound cartons of butter at Philadelphia, Pa.

LABEL, IN PART: "Butter Distributed by C. G. Heyd & Co. * * * Phila. Pa"

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: June 30, 1944. Luther K. Heyd, Philadelphia, Pa., 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.

6090. Adulteration of butter. U. S. v. 10 Boxes and 4 Cubes of Butter. Decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 12780, 13157. Sample Nos. 60435-F, 73353-F.)

LIBELS FILED: June 13 and 20, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about May 22 and June 3, 1944, by Land O'Lakes Creameries, Inc., from Minnesota Transfer, Minn.

PRODUCT: 10 boxes and 4 cubes of butter at San Francisco, Calif.

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: June 27 and 29, 1944. Wilsey Bennett Co., San Francisco, Calif., having appeared as claimant for one portion and B. J. Holmes, trading as the B. J. Holmes Sales Co., San Francisco, Calif., having appeared as claimant for the remainder, judgments of condemnation were entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration. The product was subsequently reworked.

6091. Adulteration of butter. U. S. v. 12 Cubes (816 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 11714. Sample No. 65264-F.)

LIBEL FILED: December 31, 1943. District of Montana.

ALLEGED SHIPMENT: On or about November 1, 1943, by the Sheridan Creamery Co., Sheridan Wyo.

PRODUCT: 12 68-pound cubes of butter at Butte, Mont.

LABEL, IN PART: "Butter * * * Mid-Central Produce Co., Butte, Mont."

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

DISPOSITION: July 15, 1944. The Sheridan 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.

MILK AND CHEESE

6092. Adulteration of evaporated milk. U. S. v. 39 Cases of Evaporated Milk. Default decree of condemnation and destruction. (F. D. C. No. 12628. Sample No. 75227-F.)

LIBEL FILED: June 6, 1944, Western District of New York.

ALLEGED SHIPMENT: On or about April 29, 1944, by the Borden Co., Perrinton, Mich.

PRODUCT: 39 cases, each containing 48 cans, of evaporated milk at Niagara Falls, N. Y.

LABEL, IN PART: "Borden's Silver Cow Pearl Brand Irradiated Evaporated Milk."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: July 10, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6093. Adulteration of Cheddar cheese. U. S. v. Armour & Co. of Delaware (Armour Creameries). Plea of guilty. Fine, \$250 (F. D. C. No. 10578. Sample No. 5900-F).

INFORMATION FILED: On December 7, 1943, in the Northern District of Mississippi, against Armour & Co. of Delaware, a corporation, trading as the Armour Creameries at Senatobia, Miss.

ALLEGED SHIPMENT: On or about March 31, 1943, from the State of Mississippi into the State of Tennessee.

LABEL, IN PART: (On portions) "Cloverbloom" or "Mississippi."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rat or mouse hairs, insect fragments, pellets of insect excrement, plant fragments, and dirt particles; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: June 5, 1944. A plea of guilty was entered and the defendant was fined \$250.

6094. Adulteration of cheese. U. S. v. 3 Cases of Langlois Blue Veined Cheese. Default decree of condemnation and destruction. (F. D. C. No. 12502. Sample No. 74409-F.)

LABEL FILED: June 3, 1944, Western District of Washington.

ALLEGED SHIPMENT: On or about April 28, 1944, by the Langlois Cheese Makers, Coquille, Oreg.

PRODUCT: 3 cases, each containing 6 5-pound cheeses, at Tacoma, Wash.

LABEL, IN PART: "Langlois Blue Veined Cheese, Langlois Cheese Makers State Brand."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance, maggots.

DISPOSITION: July 5, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6095. Adulteration and misbranding of grated cheese. U. S. v. 34 Cartons of Grated Cheese. Default decree of condemnation and destruction. (F. D. C. No. 12174. Sample No. 50974-F.)

LABEL FILED: April 13, 1944, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 18, 1944, by Wm. Faehndrich, Inc., from New York, N. Y.

PRODUCT: Grated cheese, 34 cartons, each containing 12 canisters, at Hazleton, Pa.

LABEL, IN PART: (Canisters) "Famous Brand * * * Grated * * * Cheese (Italian Style Cheese) * * * 15% Added Milk Solids [or "Added Milk Solids," or "An All Cheese Product"]."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs; Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it might have become contaminated with filth; Section 402 (b) (2), a substance, grated cheese which contained about 40 percent added "nonfat dry milk solids" or "defatted milk solids" (dried skim milk), had been substituted for grated cheese, which the article purported to be; and, Section 402 (b) (4), "nonfat dry milk solids" or "defatted milk solids" had been added or mixed or packed with the product so as to reduce its quality or strength.

Misbranding, Section 403 (a), the labeling, "Grated * * * Cheese * * * 15% Added Milk Solids," and "Grated * * * Cheese * * * An All Cheese Product," was false and misleading as applied to an article which contained about 40 percent added "nonfat dry milk solids" or "defatted milk solids"; and Section 403 (i) (2), the article in the cans labeled "An All Cheese Product" was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient since the presence of "nonfat dry milk solids" or "defatted milk solids" was not declared.