

DISPOSITION: April 20, 1945. The Atlantic Co., claimant, having admitted the material allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for the segregation and disposal of the unfit portion for use as animal feed or industrial fats, under the supervision of the Food and Drug Administration.

8875. Adulteration and misbranding of Cheddar cheese. U. S. v. 12 Cheddar Cheeses. Default decree of forfeiture. Product ordered disposed of by the United States marshal. (F. D. C. No. 15698. Sample No. 18952-H.)

LIBEL FILED: March 28, 1945, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about January 30, 1945, by the Belle Center Creamery and Cheese Co., from Belle Center, Ohio.

PRODUCT: 12 Cheddar cheeses at Thorp, Wis.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing excessive moisture and deficient in milk fat had been substituted in whole or in part for Cheddar cheese, which it was represented to be.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for Cheddar cheese, which provides that Cheddar cheese shall contain not more than 39 percent of moisture, and that its solids shall contain not less than 50 percent of milk fat. The product contained more than 39 percent of moisture and its solids contained less than 50 percent of milk fat.

DISPOSITION: May 2, 1945. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed or disposed of at the discretion of the United States marshal. The cheese was sold for use in public institutions.

8876. Adulteration and misbranding of Cheddar cheese. U. S. v. 533 Boxes of Cheddar Cheese. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15697. Sample No. 22826-H.)

LIBEL FILED: March 26, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about February 8, 1945, by the Dairy Products Marketing Association, from Blackwell, Okla.

PRODUCT: 533 boxes, each containing 77 pounds, of Cheddar cheese at St. Louis, Mo. Analysis showed that the article failed to meet the standard of identity for Cheddar cheese in that its solids contained less than 50 percent of milk fat.

LABEL, IN PART: "Oklahoma White Cheddar Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an article deficient in milk fat had been substituted in whole or in part for Cheddar cheese, which it was represented to be.

Misbranding, Section 403 (g) (1), the product purported to be and was represented as Cheddar cheese, a food for which a definition and standard of identity has been prescribed by regulation, but it failed to conform to such definition and standard.

DISPOSITION: On or about June 1, 1945, Wilson & Co., Inc., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for manufacture into processed cheese in conformity with the law, under the supervision of the Food and Drug Administration.

8877. Adulteration and misbranding of Cheddar cheese. U. S. v. 34 Boxes of Cheddar Cheese. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15681. Sample Nos. 18856-H, 18857-H, 18876-H, 18877-H.)

LIBEL FILED: March 28, 1945, District of Minnesota.

ALLEGED SHIPMENT: On or about January 25 and February 1, 1945, by the Wuetrich Brothers, from Doylestown, Wis.

PRODUCT: 24 boxes and 10 boxes of Cheddar cheese, each box containing 4 cheeses, at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing excessive moisture had been substituted in whole or in part for Cheddar cheese, which it was represented to be.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for Cheddar cheese since it contained more than 39 percent of moisture, the maximum permitted by the regulations.