

**10112. Adulteration of butter. U. S. v. 443 32-Pound Cartons of Butter. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 17378. Sample No. 4265-H.)

**LIBEL FILED:** August 13, 1945, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about July 7, 1945, by the Davis Cleaver Produce Co., from Quincy, Ill.

**PRODUCT:** 443 cartons, each containing 32 1-pound prints, of butter at Philadelphia, Pa. This product contained mold.

**LABEL, IN PART:** (Prints) "Netherland Brand Butter \* \* \* Churned by Davis Cleaver Produce Co. Quincy, Ill."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy or decomposed animal substance.

**DISPOSITION:** August 29, 1945. William H. Oldach, Philadelphia, Pa., claimant, having admitted the allegations contained in the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be converted into refined butter oil, under the supervision of the Food and Drug Administration.

**10113. Adulteration of butter. U. S. v. 214 Tubs and 50 Tubs of Butter. Consent decree ordering portion of product released; remainder ordered condemned and released under bond.** (F. D. C. Nos. 17373, 18309. Sample Nos. 5771-H, 7432-H.)

**LIBELS FILED:** July 26, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 15 and 18, 1945, by the Clover Creamery Co., from Radford and Roanoke, Va.

**PRODUCT:** 214 tubs and 50 tubs, each containing approximately 63 pounds, of butter at New York, N. Y. Examination showed that the product contained mold.

**LABEL, IN PART:** "Butter Distributed by J. R. Kramer, Inc. \* \* \* New York, N. Y."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, putrid, or decomposed substance; and, Section 402 (b) (2), (portion) a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** December 26, 1945. The libel proceedings having been consolidated, and the Clover Creamery Co., claimant, having admitted the allegations of the libel, judgment was entered ordering that 98 tubs of butter be released to the claimant, and that the remainder be condemned. The condemned goods were ordered released under bond, conditioned that 14 tubs which were low in fat might be reworked to the proper fat content, but that any part that was unfit for human consumption be denatured and disposed of as nonedible grease; that 25 tubs might be converted into butter oil; and that the remainder of 127 tubs be converted into fat for soap making. It was further ordered that the Federal Security Agency supervise the disposition of the condemned goods.

**10114. Adulteration of butter. U. S. v. 97 Boxes (6,208 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 17371. Sample No. 5775-H.)

**LIBEL FILED:** August 8, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 14, 1945, by the Hygrade Food Products Corporation, Clarksville, Iowa.

**PRODUCT:** 97 boxes, each containing 64 pounds, of butter at New York, N. Y.

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

**DISPOSITION:** August 23, 1945. The Zenith-Godley Co., Inc., 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.

**10115. Adulteration of butter. U. S. v. 23 70-Pound Cartons of Butter. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 17370. Sample No. 5778-H.)

**LIBEL FILED:** August 9, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about August 2, 1945, by the Center Milk Products Co., from Middlebury Center, Pa.

**PRODUCT:** 23 70-pound cartons of butter at New York, N. Y.

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

**DISPOSITION:** August 24, 1945. Carl Ahlers, Inc., New York, N. Y., 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.

**10116. Misbranding of butter. U. S. v. 195 32-Pound Cartons of Butter. Consent decree of condemnation and destruction. (F. D. C. No. 17367. Sample No. 7442-H.)**

**LIBEL FILED:** August 3, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 23, 1945, by Sorensen Creameries, Big Stone City, S. Dak.

**PRODUCT:** 195 cartons, each containing 32 1-pound prints, of butter at New York, N. Y. The prints contained less than the declared weight.

**LABEL, IN PART:** (Prints) "Packed for Vineland Butter & Egg Corp. \* \* \* New York, N. Y. Butter 1 Lb. Net."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** August 22, 1945. The Vineland Butter & Egg Corporation, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reprinting to the full weight.

#### CHEESE

**10117. Adulteration of Cheddar cheese. U. S. v. 261 Hoops of Cheese. Default decree of condemnation. Product ordered disposed of as nonfood salvage. (F. D. C. No. 17303. Sample No. 7141-H.)**

**LIBEL FILED:** August 23, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 20, 1945, by the Federal Cold Storage Co., from St. Louis, Mo.

**PRODUCT:** 261 80-pound hoops of Cheddar cheese at New York, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and manure fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** September 26, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered utilized for nonfood purposes in the national defense program.

**10118. Adulteration of Cheddar cheese. U. S. v. 156 Boxes of Cheddar Cheese. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17451. Sample No. 23467-H.)**

**LIBEL FILED:** September 17, 1945, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about August 24, 1945, by Saint Rose Dairy, from Saint Rose, Ill.

**PRODUCT:** 156 70-pound boxes of Cheddar cheese at St. Louis, Mo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and manure fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 29, 1945. Francis G. Schuette, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be disposed of in compliance with the law, under the supervision of the Food and Drug Administration.