

parts; and, Section 402 (a) (4), (New York lot) it had been prepared under insanitary conditions whereby it may have become contaminated with filth. **DISPOSITION:** October 17 and November 5, 1945. No claimant having appeared, judgments of condemnation were entered and the New York lot was ordered delivered to a Federal institution for use as livestock feed, and the Boston lot was ordered destroyed.

**10123. Adulteration of cheese paste. U. S. v. 2 Cases and 2 Barrels of Cheese Paste. Default decrees of condemnation and destruction. (F. D. C. Nos. 17307, 17352. Sample Nos. 11192-H, 12301-H.)**

**LIBELS FILED:** August 25 and September 10, 1945, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about August 1 and 22, 1945, by the Lakeside Creamery, from Craftsbury and Craftsbury Common, Vt.

**PRODUCT:** 2 125-pound cases, and 2 barrels, each containing 163 pounds and 166 pounds, respectively, of cheese paste at Boston, Mass.

**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 rodent and other mammalian hairs, insects, insect fragments, and a fly; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** November 5, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**MISCELLANEOUS DAIRY PRODUCTS**

**10124. Adulteration and misbranding of condensed buttermilk. U. S. v. 70 Barrels of Condensed Buttermilk. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16637. Sample No. 3471-H.)**

**LIBEL FILED:** June 22, 1945, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about March 24, 1945, by the Nashville Buttermilk Co., Inc., from Fayetteville, Tenn.

**PRODUCT:** 70 478-pound barrels of condensed buttermilk at Norfolk, Va. Examination showed that the product contained not more than 23.14 percent total solids, 4.06 percent protein, 0.29 percent fat, and 1.98 percent starch.

**LABEL, IN PART:** "Manufactured For G. Gray Simpson, Norfolk, Va. Big S Brand Condensed Buttermilk."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (4), starch had been added to the article and mixed and packed with it so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (a), the label statements, "Condensed Buttermilk Minimum Analysis Protein 10% Fat 2% \* \* \* 1% Starch Added," were false and misleading as applied to the article which contained 1.98 percent added starch and less than the declared amounts of protein, fat, and total solids; and, Section 403 (b), the article was offered for sale under the name of another food.

**DISPOSITION:** July 24, 1945. G. Gray Simpson, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**10125. Adulteration and misbranding of condensed buttermilk. U. S. v. 60 Barrels of Condensed Buttermilk. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16281. Sample No. 4609-H.)**

**LIBEL FILED:** May 21, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about February 24, 1945, by Herbert K. Clofine, from Nashville, Tenn.

**PRODUCT:** 60 barrels, each containing 530 pounds, of condensed buttermilk at Flemington, N. J.

**LABEL, IN PART:** "Condensed Buttermilk for Animal and Poultry Feed \* \* \*. Made by condensing Liquid Creamery Buttermilk Guaranteed Analysis Protein 10%."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (4), starch had been added to the product so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (a), the label statements, "Condensed Buttermilk \* \* \* Made by condensing liquid creamery buttermilk \* \* \* Protein 10%," were false and misleading as applied to a mixture of condensed buttermilk and starch containing less than 10 percent protein; and, Section 403 (b), it was offered for sale under the name of another food.

**DISPOSITION:** June 30, 1945. Nashville Buttermilk Co., Nashville, Tenn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be either relabeled and reprocessed or relabeled without reprocessing, under the supervision of the Food and Drug Administration.

**10126. Adulteration and misbranding of oleomargarine. U. S. v. 109 Cartons of Oleomargarine. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 17332. Sample No. 32381-H.)

**LIBEL FILED:** September 7, 1945, District of Arizona.

**ALLEGED SHIPMENT:** On or about August 3, 1945, by Armour and Co., from Los Angeles, Calif.

**PRODUCT:** 109 cartons, each containing 30 1-pound packages, of oleomargarine at Phoenix, Ariz.

**LABEL, IN PART:** "Mayflower Vegetable Oleomargarine."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), an article containing less than 80 percent of fat had been substituted for oleomargarine.

Misbranding, Section 403 (g) (1), the article failed to conform to the standard for oleomargarine since it contained less than the minimum of 80 percent fat required by the regulations.

**DISPOSITION:** September 28, 1945. Armour and Co., claimant, having consented to the entry of a decree, 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.

## EGGS

**10127. Adulteration of shell eggs. U. S. v. 548 Cases of Shell Eggs. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 17572. Sample No. 7299-H.)

**LIBEL FILED:** September 18, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about June 22, 1945, by the Oskaloosa Produce Co., from Oskaloosa, Iowa.

**PRODUCT:** 548 cases, each containing 30 dozen shell eggs at Jersey City, N. J.

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

**DISPOSITION:** October 22, 1945. John Minder and Sons, 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 segregation and denaturing of the unfit portion, under the supervision of the Food and Drug Administration.

**10128. Adulteration of shell eggs. U. S. v. 186 Cases of Shell Eggs. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 17313. Sample No. 7298-H.)

**LIBEL FILED:** August 27, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 24, 1945, by E. A. Narum, from Gary, Minn.

**PRODUCT:** 186 cases each containing 30 dozen shell eggs at New York, N. Y.

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

**DISPOSITION:** September 12, 1945. The Egg Producers Marketing Corp., 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 segregation and destruction or denaturing of the unfit portion, under the supervision of the Food and Drug Administration.