

Misbranding, Section 403 (a), the label designations "Cheese" and "Italian Style Grated Cheese" were false and misleading as applied to an article containing a milk product other than cheese; and, Section 403 (1) (2), the label of the article failed to bear the common or usual name of each of the ingredients.

DISPOSITION: September 26, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS DAIRY PRODUCTS

11187. Adulteration of ice cream. U. S. v. Creameries of America, Inc. (Arden-Sunfreze Creameries). Plea of nolo contendere. Fine, \$100. (F. D. C. No. 20166. Sample Nos. 25457-H, 25458-H.)

INFORMATION FILED: August 30, 1946, District of Utah, against Creameries of America, Inc., trading as Arden-Sunfreze Creameries, Ogden, Utah.

ALLEGED SHIPMENT: On or about August 11, 1945, from the State of Utah into the State of Wyoming.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect parts, threads, carbon, a feather barbule, a fly, and plant fiber; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 9, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$100.

11188. Adulteration of condensed milk. U. S. v. 2 Barrels * * *. (F. D. C. No. 19819. Sample No. 51070-H.)

LIBEL FILED: May 3, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about February 11, 1946, by the Momence Milk Co-operative Assoc., from Momence, Ill.

PRODUCT: 2 640-pound barrels of condensed milk at Minneapolis, Minn.

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

DISPOSITION: July 3, 1946. No claimant having appeared, judgment was entered ordering the product denatured for use as animal feed, under the supervision of the Food and Drug Administration; otherwise, the product was to be destroyed.

11189. Adulteration and misbranding of evaporated milk. U. S. v. Fort Dodge Creamery Co. Plea of guilty. Fine, \$100 and costs. (F. D. C. No. 20938. Sample Nos. 19437-H, 50905-H.)

INFORMATION FILED: October 24, 1946, Northern District of Iowa, against the Fort Dodge Creamery Co., Fort Dodge, Iowa.

ALLEGED SHIPMENT: On or about August 4 and December 15, 1945, from the State of Iowa into the State of Minnesota.

LABEL, IN PART: "Jack Sprat Brand Evaporated Milk * * * Distributed By Jack Sprat Foods, Inc. Marshalltown, Iowa."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted from the article. The article was represented to contain in each can not less than 325 U. S. P. units of vitamin D and in each fluid ounce not less than 25 U. S. P. units of vitamin D, whereas the article contained smaller amounts of vitamin D than represented.

Misbranding, Section 403 (a), the label statements "Contains not less than 325 U. S. P. Vitamin D Units" and "(25 Units per fld. oz.)" were false and misleading.

DISPOSITION: November 12, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$100, plus costs.

11190. Misbranding of condensed buttermilk. U. S. v. 19 Barrels, etc. (F. D. C. No. 19816. Sample Nos. 34931-H, 34932-H.)

LIBEL FILED: May 2, 1946, Southern District of Illinois.

ALLEGED SHIPMENT: On or about August 11 and October 26, 1945, and February 22, 1946, by the Merchants Creamery Co., from Cincinnati, Ohio, and Springfield, Mo.