

**DISPOSITION:** August 11, 1948. The Peter Fox Sons Co., claimant, having admitted the facts in the libel, judgment of condemnation was entered ordering the product released under bond to be reworked under the supervision of the Food and Drug Administration.

**13424. Adulteration of butter. U. S. v. 9 Cartons (576 pounds) \* \* \*. (F. D. C. No. 25532. Sample No. 25709-K.)**

**LIBEL FILED:** July 30, 1948, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about July 17, 1948, by the Wilder Coop. Creamery Co., from Wilder, Minn.

**PRODUCT:** 9 64-pound cartons of butter at Philadelphia, Pa.

**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 4, 1948. C. G. Heyd & Co., Philadelphia, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be reconditioned under the supervision of the Food and Drug Administration.

**13425. Adulteration of butter. U. S. v. 8 Cartons (512 pounds) \* \* \*. (F. D. C. 25531. Sample No. 25711-K.)**

**LIBEL FILED:** August 6, 1948, Southern District of New York.

**ALLEGED SHIPMENT:** On or about August 2, 1948, by the Bowman Cooperative Creamery, from Bowman, N. Dak.

**PRODUCT:** 8 64-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 19, 1948. The Bowman Creamery Co., 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.

#### CHEESE

**13426. Action to enjoin and restrain the interstate shipment of cheese and other dairy products. U. S. v. Gem Valley Dairymen's Cooperative Association, Inc., and Kraft Foods Co. Injunction granted. (Inj. No. 157.)**

**COMPLAINT FILED:** January 13, 1947, District of Idaho, against Gem Valley Dairymen's Cooperative Association, Inc., Thatcher, Idaho, and the Kraft Foods Co., Pocatello, Idaho.

**NATURE OF CHARGE:** The complaint alleged that the Gem Valley Dairymen's Cooperative Association, Inc., had been and was engaged in producing cheese, butter, and other dairy products in its plant at Thatcher, Idaho; that the Kraft Foods Co. had been and was engaged in receiving cheese from the Gem Valley Dairymen's Cooperative Association, Inc., for shipment in interstate commerce; that on or about April 30, June 29, and July 7, 1942, the Gem Valley Dairymen's Cooperative Association, Inc., was advised by the Kraft Foods Co. that it was necessary to make rejections of cheese manufactured by the former, because it contained rodent hairs, insect parts, and excessive extraneous matter, and was warned to eliminate mice from its plant; that on June 14 and August 13, 14, 15, and 16, 1946, inspections of the cooperative's plant disclosed that filthy milk was being used in the manufacture of cheese; that an inspection on August 27, 1946, disclosed that cheese manufactured on August 13, 14, and 15, 1946, had been delivered to the Kraft Foods Co. at Pocatello, Idaho, for introduction into interstate commerce, and that the cheese contained feather fragments, insects, fly wings, feather barbules, and insect parts; that further inspection of the cooperative's plant on August 29 and October 15 and 16, 1946, revealed that unfit milk was still being accepted and used in the production of cheese; that the inspections of October 15 and 16 disclosed fresh mouse pellets in and on the cheese press, and cheese examined disclosed rodent tooth marks; that rodent activity was noted also in the cheese storage rooms and in the refrigerating room, where open whey cream cans were being stored; that during the months of November and December 1946, the cooperative shipped 18,000 pounds of the cheese manufactured under insanitary conditions into the