

**PRODUCT:** 45 cases, each containing 30 1-pound prints, of butter at Portland, Oreg.

**LABEL, IN PART:** (Case) "Nampa Creamery Nampa, Idaho"; (Print) "Fred Meyer Fifth Avenue Butter."

**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:** June 22, 1950. The Nampa Creamery Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reworking, under the supervision of the Federal Security Agency.

### CHEESE

**16473. Adulteration of Cheddar cheese. U. S. v. Northern Colorado Dairy Co. Plea of nolo contendere. Fine, \$500. (F. D. C. No. 29420. Sample Nos. 49818-K, 49856-K, 49857-K, 49859-K, 49860-K.)**

**INFORMATION FILED:** June 12, 1950, District of Colorado, against the Northern Colorado Dairy Co., Fort Morgan, Colo.

**ALLEGED VIOLATION:** On or about March 15, 1944, the defendant gave to a firm engaged in the business of shipping cheese in interstate commerce, at Denver, Colo., a guaranty to the effect that all food products shipped or delivered to the holder of the guaranty would be neither adulterated nor misbranded under the provisions of the law; and, between the approximate dates of July 19 and September 20, 1949, the defendant delivered under the guaranty, at Denver, Colo., quantities of Cheddar cheese that were adulterated.

**LABEL, IN PART:** "Cheddar Cheese Cloverbloom."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insect fragments and feather barbules, and by reason of the use of filth-contaminated milk in the preparation of the article.

**DISPOSITION:** July 6, 1950. A plea of nolo contendere having been entered, the court imposed a fine of \$500.

### FEEDS AND GRAINS

**16474. Adulteration and misbranding of alfalfa meal. U. S. v. Bremco Alfalfa Mills, Inc., and Arnold H. Poppe. Pleas of guilty. Corporation fined \$400, plus costs; individual defendant fined \$400. Payment of latter fine suspended. (F. D. C. No. 29179. Sample Nos. 52890-K, 72073-K.)**

**INFORMATION FILED:** May 31, 1950, Northern District of Ohio, against Bremco Alfalfa Mills, Inc., New Bremen, Ohio, and Arnold H. Poppe, president.

**ALLEGED SHIPMENT:** On or about August 31 and October 26, 1949, from the State of Ohio into the States of Kentucky and Indiana.

**LABEL, IN PART:** "Bremco 20% Dehydrated Alfalfa Meal \* \* \* Guaranteed Analysis Crude protein, not less than ---- 20.0% \* \* \* Crude Fiber, not more than ---- 22.0%" and "Bremco Alfalfa Meal Protein, not less than ---- 13.0%."

**NATURE OF CHARGE:** Bremco 20% Dehydrated Alfalfa Meal. Adulteration, Section 402 (b) (2), a product containing less than 20 percent of crude protein and more than 22 percent of crude fiber had been substituted for alfalfa meal

containing not less than 20 percent of crude protein and not more than 22 percent of crude fiber, which the product was represented to be. Misbranding, Section 403 (a), the label statements "20% Dehydrated Alfalfa Meal \* \* \* Guaranteed Analysis Crude protein, not less than ---- 20.0%" and "Crude Fiber, not more than ---- 22.0%" were false and misleading.

Bremco Alfalfa Meal. Adulteration, Section 402 (b) (2), a product containing less than 13 percent of protein had been substituted for alfalfa meal containing not less than 13 percent of protein, which the product was represented to be; and, Section 403 (a), the label statement "Alfalfa Meal Protein, not less than ---- 13.0%" was false and misleading.

DISPOSITION: June 15, 1950. Pleas of guilty having been entered, each defendant was fined \$400. Payment of the fine by the individual defendant was suspended upon payment of the \$400 fine by the corporation, plus costs.

**16475. Adulteration and misbranding of dairy feed. U. S. v. Kentucky Chemical Industries, Inc. (Proviso Feeds & Concentrates). Plea of nolo contendere. Fine, \$200. (F. D. C. No. 29108. Sample Nos. 39371-K, 39375-K.)**

INFORMATION FILED: April 27, 1950, Southern District of Indiana, against the Kentucky Chemical Industries, Inc., trading as Proviso Feeds & Concentrates, Lawrenceburg, Ind.

ALLEGED SHIPMENT: On or about March 2 and April 29, 1949, from the State of Indiana into the State of Kentucky.

LABEL, IN PART: "Big V Brand 16% Protein Dairy Feed \* \* \* Guaranteed Analysis Protein, not less than ---- 16.00 (%) Fat, not less than ---- 3.50 (%)" and "Big Bargain 24% Dairy Feed \* \* \* Guaranteed Analysis Protein, not less than ---- 24.00 (%) Fat, not less than ---- 3.00 (%)."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 16 percent protein and less than 3.50 percent fat had been substituted for the 16 percent protein dairy feed, and a product containing less than 24 percent protein and less than 3 percent fat had been substituted for the 24 percent dairy feed.

Misbranding, Section 403 (a), the label statements "16% Protein Dairy Feed \* \* \* Guaranteed Analysis Protein, not less than ---- 16.00 (%) Fat, not less than ---- 3.50 (%)" and "24% Dairy Feed \* \* \* Guaranteed Analysis Protein, not less than ---- 24.00 (%) Fat, not less than ---- 3.00 (%)" were false and misleading since the products contained less protein and less fat than the labeled amounts.

DISPOSITION: July 28, 1950. A plea of nolo contendere having been entered, the court fined the defendant \$200.

**16476. Adulteration and misbranding of animal feed (ground phosphate rock). U. S. v. 650 Bags \* \* \*. (F. D. C. No. 29312. Sample No. 80970-K.)**

LIBEL FILED: May 12, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 27, 1950, by Ward Steed, from Inverness, Fla.

PRODUCT: 650 100-pound bags of ground phosphate rock at Philadelphia, Pa.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a soft phosphate with colloidal clay containing less than 21.08 percent phosphoric acid and less than 32.33 percent calcium oxide had been substituted for a soft phosphate with colloidal clay containing 21.08 percent phosphoric acid and 32.33 percent cal-