

was entered and the court ordered that the product be released under bond for reworking, under the supervision of the Federal Security Agency.

**16671. Adulteration of butter. U. S. v. 10 Cartons (680 pounds) \* \* \*.**  
(F. D. C. No. 29825. Sample Nos. 78728-K, 78729-K.)

**LIBEL FILED:** August 30, 1950, Eastern District of Washington.

**ALLEGED SHIPMENT:** On or about August 16, 1950, by the Idaho Dairy Products Co., from Moscow, Idaho.

**PRODUCT:** 10 cartons, each carton containing 68 pounds, of butter at Spokane, Wash.

**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:** September 6, 1950. The Idaho Dairy Products 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, so that it would contain at least 80 percent of milk fat.

**16672. Misbranding of butter. U. S. v. 156 Pounds \* \* \*.** (F. D. C. No. 29761. Sample Nos. 84921-K, 84922-K.)

**LIBEL FILED:** August 4, 1950, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about July 27, 1950, by the Napoleon Creamery, from Napoleon, Ind.

**PRODUCT:** 127 rolls and 29 prints of butter at Cincinnati, Ohio.

**LABEL, IN PART:** "Napoleon Creamery Butter 1 Lb. Net Weight Manufactured by Napoleon Creamery Napoleon, Ind." and "The C. Eberle Sons Co. Cincinnati, Ohio One Pound Net Spring Dale Brand Creamery Butter."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the label of the article did not bear an accurate statement of the quantity of the contents. (The article was short of the declared weight.)

**DISPOSITION:** August 10, 1950. The Napoleon Creamery, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for reworking and repacking, to bring it into compliance with the law, under the supervision of the Federal Security Agency.

## CHEESE

**16673. Adulteration of Cheddar cheese. U. S. v. Farmer City Cheese Co. Plea of guilty. Judgment against defendant in sum of \$300 in lieu of fine and costs.** (F. D. C. No. 26716. Sample No. 27339-K.)

**INFORMATION FILED:** June 21, 1949, Southern District of Illinois, against the Farmer City Cheese Co., a partnership, Farmer City, Ill.

**ALLEGED VIOLATION:** On or about December 2, 1947, the defendant gave to a firm engaged in the business of shipping cheese in interstate commerce at Chicago, Ill., a guaranty to the effect that all cheese sold or delivered to the holder of the guaranty would be neither adulterated nor misbranded under the law; and on or about October 26, 1948, the defendant sold and delivered under the guaranty, at Farmer City, Ill., a quantity of Cheddar cheese that was adulterated.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments, rodent hair fragments, and plant fragments.

**DISPOSITION:** October 31, 1950. A plea of guilty having been entered, the court entered judgment against the defendant in the sum of \$300 in lieu of fine and costs.

### EGGS

**16674. Misbranding of eggs. U. S. v. 32 Cartons \* \* \*. Consent decree of condemnation and destruction. Motion to adjudge Israel Korol in contempt for illegal disposition of eggs under Federal seizure. Defendant adjudged guilty; fine, \$25. (F. D. C. No. 29383. Sample No. 3389-K.)**

**LIBEL FILED:** June 30, 1950, District of Columbia.

**PRODUCT:** 32 cartons each containing 1 dozen eggs in interstate commerce in the District of Columbia, in possession of the Korol Egg Co., Israel Korol, owner.

**RESULTS OF INVESTIGATION:** The Korol Egg Company, Washington, D. C., packed and labeled the eggs.

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the following label statements were false and misleading since 97.9 percent of the eggs were below Grade A and since the eggs were not graded by an official Federal or State grader: "\* \* \* U. S. Grade A \* \* \* Certificate of Quality Issued By Authority of the U. S. and Va. Departments of Agriculture. This is to certify that the eggs in this package were graded by an official Federal-State Grader and that the date of grading and number of the grading certificate are stamped on seal and that the quality at time of grading was U. S. Grade A Large."

Further misbranding, Section 403 (e) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

**DISPOSITION:** August 15, 1950. Consent decree of condemnation and destruction. On August 17, 1950, when the United States marshal attempted to locate the eggs for the purpose of complying with the order of destruction, Mr. Korol informed him that he had destroyed the eggs. On September 29, 1950, the United States attorney filed a motion to adjudge Israel Korol in contempt of court for illegal disposition of property under Federal seizure. On October 19, 1950, Israel Korol was adjudged in contempt of court and was fined \$25.

**16675. Adulteration of frozen eggs. U. S. v. 52 Cans, etc. (F. D. C. No. 29680. Sample Nos. 3398-K to 3400-K, incl.)**

**LIBEL FILED:** August 8, 1950, District of Columbia.

**PRODUCT:** 72 unlabeled second-hand cans, each containing 30 pounds, of frozen eggs in interstate commerce in the District of Columbia, held in storage to the account of Nathan Korol, Washington, D. C.

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

**DISPOSITION:** October 20, 1950. Default decree of condemnation and forfeiture. The court ordered that the product be delivered to a public institution, for use in cooked food for animals.