

## MISCELLANEOUS DAIRY PRODUCTS

**17359. Adulteration and misbranding of canned evaporated skimmed milk.** U. S. v. 326 Cases, etc. (F. D. C. No. 30520. Sample Nos. 12853-L, 12854-L.)

**LIBEL FILED:** February 6, 1951, District of Colorado.

**ALLEGED SHIPMENT:** On or about January 11, 1951, by the Carthage Creamery Co., from Carthage, Mo.

**PRODUCT:** Evaporated skimmed milk. 326 cases, each containing 48 14½-ounce cans, some labeled and others unlabeled; and 8 cases, each containing 6 unlabeled 1-gallon cans, at Denver, Colo.

**LABEL, IN PART:** (Can) "Sunny Brand Skimmed Homogenized Evaporated Milk"; (cases) "Not For Human Consumption."

**NATURE OF CHARGE:** Adulteration (326-case lot), Section 402 (a) (3), the product was unfit for food by reason of the presence of clabbered milk and leaking cans.

Misbranding (8-case lot and unlabeled portion of 326-case lot), Sections 403 (e) (1) and (2), the product was a food in package form, and it failed to bear a label containing the name and place of business of the packer or distributor and an accurate statement of the quantity of the contents; and, Section 403 (i) (1), the product failed to bear a label containing the common or usual name of the food.

**DISPOSITION:** April 17, 1951. Default decree of condemnation. The court ordered that the product be sold for use as animal feed and that it be prepared for such purpose under the supervision of the Food and Drug Administration.

**17360. Adulteration and misbranding of nonfat dry milk solids.** U. S. v. 116 Drums \* \* \*. (F. D. C. No. 30653. Sample Nos. 30754-L, 30755-L, 31553-L, 31554-L.)

**LIBEL FILED:** February 16, 1951, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about October 6 and 7, 1950, by the Central Farm Products Co., Allerton, Iowa.

**PRODUCT:** 116 drums of nonfat dry milk solids at St. Louis, Mo.

**LABEL, IN PART:** "Roller Process Super Test Non-Fat Dry Milk Solids Net Weight 200 Lbs."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product prepared in whole or in part from neutralized sour skim milk had been substituted in whole or in part for nonfat dry milk solids.

Misbranding, Section 403 (a), the label statement "Non-Fat Dry Milk Solids" was false and misleading as applied to an article prepared from neutralized sour skim milk.

**DISPOSITION:** April 5, 1951. The Central Farm Products Co., Trenton, Mo., 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 to be sold for use as animal feed, under the supervision of the Food and Drug Administration.