

decomposed cream; and, Section 402 (a) (4), the product had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 18, 1952. Pleas of guilty having been entered, the court fined each defendant \$125, plus costs.

CHEESE

18870. Adulteration and misbranding of process cheese. U. S. v. 40 Cartons, etc. (and 1 other seizure action). (F. D. C. Nos. 32521, 32522. Sample Nos. 13786-L, 13787-L, 13789-L.)

LABELS FILED: February 15, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about January 25, 1952, by the Challenge Cream & Butter Assn., from Pocatello, Idaho.

PRODUCT: Process cheese. 80 cartons, each containing 48 ½-pound packages, at San Francisco, Calif., and 105 cartons, each containing 48 ½-pound packages, at Berkeley, Calif.

LABEL, IN PART: "Challenge Pasteurized Process American Cheese [or "Pimento Cheese" or "Swiss and Cheddar Cheese"]."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the articles contained an added poisonous and deleterious substance, dehydroacetic acid, which is unsafe within the meaning of Section 406 since it is a substance not required in the production of the articles and can be avoided by good manufacturing practice.

Misbranding, Section 403 (g) (1), the articles purported to be and were represented as cheeses for which definitions and standards of identity have been prescribed by the regulations, and they failed to conform to such definitions and standards since they contained dehydroacetic acid, which is not permitted as an ingredient by the regulations.

DISPOSITION: August 14, 1952. Default decrees of condemnation and destruction.

MISCELLANEOUS DAIRY PRODUCT

18871. Adulteration and misbranding of nonfat dry milk solids. U. S. v. 14 Drums * * *. (F. D. C. No. 32871. Sample No. 34606-L.)

LABEL FILED: March 12, 1952, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about February 5, 1952, by the Pevely Dairy Co., from St. Louis, Mo.

PRODUCT: 14 200-pound drums of nonfat dry milk solids at East St. Louis, Ill.

LABEL, IN PART: "Pevely Roller Process Super Test Non-fat Dry Milk Solids."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an article prepared from sour 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 the article, which was prepared from sour milk.

DISPOSITION: May 21, 1952. Default decree of condemnation. The court ordered that the product be sold for use other than for human consumption. The product subsequently was sold for use as animal feed.