

ALLEGED SHIPMENT: On or about July 14, 1951. from the State of Nebraska into the State of Iowa.

LABEL, IN PART: (Parchment wrapper) "Armour Cloverbloom Butter One Pound Net Weight Armour Creameries Chicago Ill."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent of the article, milk fat, had been in part omitted; and, Section 402 (b) (2), a product which contained less than 80 percent by weight of milk fat had been substituted for butter, which the article was represented to be.

Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the parchment wrappers contained less than the declared "One Pound Net Weight."

DISPOSITION: November 20, 1952. A plea of guilty having been entered, the court imposed a fine of \$25, together with costs.

MISCELLANEOUS DAIRY PRODUCT

19819. Adulteration and misbranding of Pream. U. S. v. 318 Cases * * * (F. D. C. No. 33589. Sample No. 36209-L.)

LABEL FILED: September 10, 1952, Southern District of Ohio.

ALLEGED SHIPMENT: On or about August 4, 1952, by the M & R Dietetic Laboratories, from Sturgis, Mich.

PRODUCT: 318 cases, each containing 24 cans, of Pream at Cincinnati, Ohio.

LABEL, IN PART: (Can top) "Instant Pream New! Coffee Cream"; (can side) "Pream Coffee Cream Product Fresh Cream, Lactose, Non-Fat Milk Solids * * * Made By M & R Dietetic Laboratories Columbus, Ohio."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing substances other than cream, including substances in the nature of lactose, had been substituted for coffee cream, which the article was represented to be.

Misbranding, Section 403 (a), the label statements "Coffee Cream" and "Coffee Cream Product" were false and misleading as applied to a product which consisted chiefly of lactose, dried milk or cream, and a small amount of nonfat dry milk solids; and, Section 403 (g) (1), the article purported to be and was represented as coffee cream, a food for which a definition and standard of identity has been prescribed by the regulations, and it failed to conform to such definition and standard since it contained lactose, dried milk or cream, and nonfat dry milk solids, which are not permitted as ingredients of coffee cream in the regulations.

DISPOSITION: October 30, 1952. Default decree of condemnation. The court ordered that the product be delivered to charitable organizations to be used by the inmates as food but not for sale or other use.

EGGS

19820. Adulteration of frozen eggs. U. S. v. 200 Cans, etc. (F. D. C. Nos. 33688, 33698. Sample No. 14614-L.)

LABEL FILED: September 18, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about August 11, 1952, by the Clary Poultry & Egg Co., from Lubbock, Tex.

PRODUCT: 400 cans, each containing 30 pounds of frozen eggs at Denver, Colo.

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 1, 1952. The Clary Poultry & Egg 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 the segregation of the fit portion from the unfit, under the supervision of the Federal Security Agency. 175 cans of the product were found unfit and were converted for use as animal feed.

19821. Adulteration of frozen eggs. U. S. v. 107 Cans * * *. (F. D. C. No. 33703. Sample No. 14617-L.)

LIBEL FILED: September 18, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about August 16, 1952, by the Sherman Produce Co., from Sioux City, Iowa.

PRODUCT: 107 cans, each containing 30 pounds, of frozen eggs at Denver, Colo.

LABEL, IN PART: (Can) "From The Rhodes Ranch Egg Co. Rhodes Frozen Egg Whole * * * Denver, Colorado."

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

DISPOSITION: October 21, 1952. The Sherman Produce 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 the segregation of the fit portion from the unfit, under the supervision of the Food and Drug Administration. The 76 cans that actually were seized were examined, and 6 cans were found to be bad and were destroyed.

FEEDS AND GRAINS

19822. Adulteration and misbranding of alfalfa meal. U. S. v. Southwestern Alfalfa Mills, Inc., and Harold E. Clark. Pleas of nolo contendere. Fine of \$30, plus costs, against each defendant. (F. D. C. No. 33811. Sample No. 378-L.)

INFORMATION FILED: November 10, 1952, District of Nebraska, against Southwestern Alfalfa Mills, Inc., Lexington, Nebr., and Harold E. Clark, president of the corporation.

ALLEGED SHIPMENT: On or about August 2, 1951, from the State of Nebraska into the State of Kansas.

LABEL, IN PART: "Alfalfa Meal H. E. Clark Company Winfield Kansas 17% Dehydrated Alfalfa Meal."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 17 percent of protein had been substituted for a product containing 17 percent of protein, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "Guaranteed Analysis Crude Protein, Not Less Than 17.0%" was false and misleading since the article contained less than 17 percent of protein.

DISPOSITION: On February 3, 1953, upon motion of the defendants for transfer of the proceedings pursuant to Rule 21 (b) of the Federal Rules of Criminal Procedure, an order was entered directing the transfer of the case to the