

CHARGE: 402(b) (1)—when shipped, a valuable constituent, milk fat, had been in part omitted from the article; and 402(b) (2)—a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

PLEA: Nolo contendere.

DISPOSITION: 5-21-59. \$150 fine, plus costs.

25675. Butter. (F.D.C. No. 41135. S. No. 58-171 P.)

QUANTITY: 8 64-lb. ctns. at Jersey City, N.J.

SHIPPED: 7-9-59, from Cleveland, Ohio, by Stonehill Creameries.

LIBELED: On or about 7-30-59, Dist. N.J.

CHARGE: 402(b) (2)—when shipped, a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: 8-27-59. Default—delivered to a charitable institution for its use and not for sale.

25676. Butter. (F.D.C. No. 43496. S. No. 45-770 P.)

QUANTITY: 1,712 lbs. in bulk at Denver, Colo.

SHIPPED: A number of cans of cream were shipped on 8-8-59 and 8-9-59, from Kansas, Nebraska, and Wyoming.

RESULTS OF INVESTIGATION: Examination showed that the butter was made from decomposed cream which had been shipped as described above.

LIBELED: 8-12-59, Dist. Colo.

CHARGE: 402(a) (3)—the article consisted in part of a decomposed substance by reason of its having been made from decomposed cream; and 402(e)—the article was butter, and the raw material used therein consisted of decomposed cream.

DISPOSITION: 8-27-59. Consent—delivered to a public institution for use as animal feed.

CHEESE

25677. Swiss cheese. (F.D.C. No. 42947. S. No. 27-557 P.)

QUANTITY: 55 120-lb. blocks at Monroe, Wis.

SHIPPED: 12-15-58, from Smithfield, Utah, by Cache Valley Dairy Association.

LIBELED: On or about 3-25-59, W. Dist. Wis.

CHARGE: 402(a) (3)—contained rodent-gnawed cheese, dirt, rodent excreta, and moldy cheese when shipped.

DISPOSITION: 6-16-59. Default—denatured and sold as bait.

MISCELLANEOUS DAIRY PRODUCT

25678. Nonfat dry milk. (F.D.C. No. 43021. S. No. 21-637 P.)

QUANTITY: 20 bags at Lincoln, Nebr., in possession of Star Van & Storage Co., Inc.

SHIPPED: 11-20-58, from State Center, Iowa.

LIBELED: 5-21-59, Dist. Nebr.

CHARGE: 402(a) (4)—held under insanitary conditions.

DISPOSITION: 6-22-59. Default—delivered to a State institution for use as animal feed.