

words and statements on the label) as to render such information likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 5-9-62. Default—destruction.

## DAIRY PRODUCTS

### BUTTER

27878. Butter. (F.D.C. No. 44650. S. Nos. 86-631 P, 8-461 R.)

INFORMATION FILED: 8-22-60, W. Dist. N.Y., against Pavilion Creamery Co., Inc., Rochester, N.Y.

ALLEGED VIOLATIONS: On 1-14-53 and 3-31-55, the defendant gave to two firms engaged in the business of shipping butter in interstate commerce, guaranties to the effect that butter delivered by the defendant under the guaranties would not be adulterated. On 2-2-60 and 2-29-60, the defendant caused to be delivered to the holders of the guaranties quantities of butter which was adulterated.

CHARGE: 402(b) (1)—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: Guilty.

DISPOSITION: 10-10-60. \$500 fine.

27879. Butter. (F.D.C. No. 45970. S. No. 35-960 R.)

INFORMATION FILED: 7-18-61, Dist. Nebr., against Forrest G. Miller, a partner in the partnership of Farmers Creamery, Pender, Nebr.

SHIPPED: 8-29-60, from Nebraska to Ohio.

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: 10-5-61. \$100 fine which was suspended.

27880. Butter. (F.D.C. No. 43771. S. No. 62-895 T.)

QUANTITY: 79 64-lb. boxes, at St. Paul, Minn.

SHIPPED: 3-19-62, from Bismarck, N. Dak., by Capital Milk Products Co.

LABEL IN PART: "Butter Armour Creameries Distributors Gen'l Office—Chicago, Ill. CREAMERY BUTTER Keep Refrigerated."

LIBELED: 4-3-62, Dist. Minn.

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

DISPOSITION: 5-10-62. Consent—claimed by Capital Milk Products Co., and released under bond to be reworked.

### CHEESE

27881. Romano cheese. (F.D.C. No. 47049. S. Nos. 12-542/3 T.)

QUANTITY: 89 cheeses, 2,126 lbs. total, at Blanchardville, Wis.

SHIPPED: 12-7-61, from Forreston, Ill., by Forreston Swiss Cheese Co.