

**RESULTS OF INVESTIGATION:** The article was manufactured by the dealer from cottage cheese and a cream product containing 6 percent fat which was shipped in bulk as described above.

**LIBELED:** 5-31-62, W. Dist. Tex.

**CHARGE:** 403(a)—while held for sale, the label of the article contained false and misleading representations that the article was uncreamed and was cottage cheese; 403(a)—the name of the article "Slim Cheez" and other statements in its label contained false and misleading representations that the article was a low-calorie cottage cheese and was lower in calories; and 403(g)(1)—the article failed to conform to the definition and standard of identity of cottage cheese, in that it contained an added cream product containing 6 percent fat, an ingredient not permitted by the definition and standard.

**DISPOSITION:** 6-4-62. Consent—delivered to a public institution for use as animal feed.

**28243. Provolone cheese.** (F.D.C. No. 47159. S. Nos. 43-173 T, 43-176 T.)

**QUANTITY:** 36 ctns., each containing 6 individually wrapped cheeses, at Philadelphia, Pa.

**SHIPPED:** 12-5-61, from Plymouth, Wis., by Passini Cheese Co.

**LABEL IN PART:** "New Yorker Rindless Provolone Cheese \* \* \* Distributed by New Yorker Cheese Co. Philadelphia, Pa."

**LIBELED:** 2-27-62, E. Dist. Pa.

**CHARGE:** 403(g)(1)—when shipped, the article failed to conform to the definition and standard of identity for provolone cheese since the article contained in its solids less than 45 percent of milk fat.

**DISPOSITION:** 8-12-62. Default—destruction.

#### MISCELLANEOUS DAIRY PRODUCT

**28244. Pratt's Dairy Hi-Trate.** (F.D.C. No. 47008. S. No. 33-611 T.)

**QUANTITY:** 64 50-lb. bags at Minneapolis, Minn.

**SHIPPED:** 9-6-61, from Danville, Ky.

**RESULTS OF INVESTIGATION:** Analysis showed that the article contained less than 50 percent of the declared amount of vitamin D<sub>2</sub>.

**LIBELED:** 2-2-62, Dist. Minn.

**CHARGE:** 402(b)(1)—while held for sale, the valuable constituent, namely, vitamin D<sub>2</sub>, had been in part omitted or abstracted from the article; and 403(a)—the label statement "80,000 U.S.P. Units/LB" was false and misleading.

**DISPOSITION:** 3-20-62. Default—delivered to a public institution for use as animal feed.

#### EGGS

**28245. Frozen eggs.** (F.D.C. No. 47485. S. No. 71-115 T.)

**QUANTITY:** 24 30-lb. cans, at El Paso, Tex.

**SHIPPED:** The article was shipped in the form of shell eggs from various producers in Texas, Nebraska, and Arkansas, sometime prior to 4-16-62, to El Paso, Tex., where the article was packed in the form of frozen eggs.

**LIBELED:** 5-8-62, W. Dist. Tex.