

**LABEL IN PART:** (Box) "Butter L. D. Schreiber & Co., Inc. Sales Agent For The Marketing Association of America A Cooperative Distributor Chicago, Illinois."

**LIBELED:** 10-2-64, Dist. Minn.

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

**DISPOSITION:** 11-2-64. Consent—claimed by the Marketing Association of America, Chicago, Ill., for reworking.

**29735. Butter.** (F.D.C. No. 47655. S. Nos. 25-004/7 A.)

**QUANTITY:** 1,302 64-lb. boxes at Chicago, Ill.

**SHIPPED:** Between 1-23-64 and 2-1-64, from Arcadia, Wis., by Dairy Maid Products Cooperative.

**LABEL IN PART:** (Boxes) "Creamery Butter A & G Coop. Creamery."

**LIBELED:** 3-13-64, N. Dist. Ill.

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

**DISPOSITION:** 4-14-64. Consent—claimed by Dairy Maid Products Cooperative and rechurned.

**29736. Butter.** (F.D.C. No. 50189. S. No. 26-530 A.)

**QUANTITY:** 81 64-lb. boxes at Chicago, Ill.

**SHIPPED:** 7-29-64, from Omaha, Nebr., by Burwell Butter Factory.

**LABEL IN PART:** (Box) "Butter Creamery Butter Berkshire Foods, Inc."

**LIBELED:** 8-12-64, N. Dist. Ill.

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

**DISPOSITION:** 8-28-64. Consent—claimed by Berkshire Foods, Inc., for reworking.

### CHEESE

**29737. Cheddar cheese.** (Inj. 409.)

**COMPLAINT FOR INJUNCTION FILED:** 8-9-61. Dist. N. Dak., against Rugby Creamery Co., a corporation, Rugby, N. Dak., and Albert M. Nielsen, president.

**CHARGE:** The complaint alleged that the defendants had been and were then engaged in operating a cheese factory producing cheddar cheese; that the plant received an average of 25,000 pounds of raw milk daily which as received, was dumped into a scale tank, pumped through a cloth inline strainer onto a plate cooler, and from there to a 40,000-pound holding tank where it remained until the following morning; and after pasturization at 160° F. for 16 to 17 seconds the milk was pumped to the cheese vat for manufacturing; that all of the cheddar cheese manufactured at the plant was shipped to New Ulm, Minn.; and that the cheese was adulterated within the meaning of 402(a) (3) by reason of the use of dirty, contaminated milk in its preparation, when caused to be introduced and delivered for introduction into interstate commerce.

The complaint alleged further that during one inspection by Food and Drug inspectors, off-the-bottom sediment tests were made on 170 cans of milk, totalling 1,510 gallons representing 37.7 percent of the milk received from 92 percent of the firm's patrons; that all cans tested disclosed varying