

as Granada Cheese Factory at Granada, Minn., and as Brush Creek Cheese Factory at Bricelyn, Minn., alleging shipment on or about October 7, 1941, from the State of Minnesota into the State of Iowa of quantities of Cheddar cheese which was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On June 9, 1942, the defendants having entered pleas of guilty, the court imposed a fine of \$15 against each defendant.

3496. Adulteration and misbranding of Cheddar cheese. U. S. v. 6 Boxes, 6 Boxes, and 26 Boxes of Cheddar Cheese (and 1 other seizure action against Cheddar cheese). Default decrees of condemnation and destruction. (F. D. C. Nos. 7132, 7169. Sample Nos. 35128-E, 35129-E, 35135-E, 83033-E, 83035-E, 83038-E.)

Examination showed that this product was contaminated with filth, such as cow hairs, insect fragments, rodent hair, plant particles, and nondescript dirt. The solids of portions of the cheese were deficient in milk fat.

On April 4 and 8, 1942, the United States attorneys for the Northern District of Florida and the Southern District of Alabama filed libels against 12 boxes each containing 2 prints of cheese and 26 boxes each containing 1 cheese daisy at Pensacola, Fla., and 68 daisies of cheese at Mobile, Ala., alleging that the article had been shipped in interstate commerce on or about March 2 and 23, 1942, by Armour Creameries from New Albany, Miss.; and charging that it was adulterated and that portions were also misbranded. It was labeled in part: "Armour's Cloverbloom Cheddar."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. Portions of the product were alleged to be adulterated further in that an article deficient in milk fat had been substituted wholly or in part for Cheddar cheese, which it purported to be.

The cheese found at Pensacola and a portion of that found at Mobile was alleged to be misbranded in that it purported to be Cheddar cheese, a food for which a definition and standard of identity had been prescribed by regulations as provided by law, but it failed to conform to such definition and standard since the solids of the cheese contained less than 50 percent of milk fat.

On May 18 and June 29, 1942, no claimant having appeared, judgments were entered finding the product adulterated and ordering that the product be condemned and destroyed.

3497. Adulteration of Cheddar cheese. U. S. v. 25 Daisies and 29 Daisies of Cheddar Cheese. Default decree of condemnation and destruction. (F. D. C. No. 6801. Sample Nos. 48554-E, 70643-E.)

This product contained nondescript dirt, insect fragments, and rodent hairs.

On March 2, 1942, the United States attorney for the Northern District of Georgia filed a libel against 25 22-pound daisies and 29 21-pound daisies of Cheddar cheese at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about January 10, 1942, by Limestone Milk Products Co. from Athens, Ala.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: (Daisy) "1 No. 1 Select Cheddar Cheese."

On June 29, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. Subsequently it was delivered to a Federal institution to be used as hog feed.

3498. Adulteration of Cheddar cheese. U. S. v. 103 Boxes of Cheddar Cheese (and 4 additional seizure actions against Cheddar cheese). Decrees of condemnation. Portion of product ordered released under bond for segregation and destruction of unfit portion; remainder ordered destroyed. (F. D. C. Nos. 5909, 5940, 5941, 5945, 6024. Sample Nos. 53559-E, 65783-E, 65789-E, 72040-E, 72041-E, 72108-E.)

Examination showed that this product was contaminated with filth, such as insect fragments, rodent hairs, feather barbules, and nondescript dirt. Some of the cheese had been gnawed and bore tooth markings similar to those of a mouse.

On September 30 and October 3, 1941, the United States attorneys for the District of Idaho and the Southern District of California filed libels against 159 boxes of Cheddar cheese at Pocatello, Idaho, and 39 cases and 24 boxes of Cheddar cheese at Los Angeles, and 15 cases of Cheddar cheese at San Diego, Calif., alleging that the article had been shipped in interstate commerce on or about September 10, 13, 15, and 17, 1941, by Nelson Ricks Creamery Co. from Salt Lake

City, Manti, and Lea, Utah; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On March 10, 1942, Nelson Ricks Creamery Co., claimant for 103 boxes of cheese seized at Pocatello, Idaho, having admitted the allegations of the libel with respect to a portion of said seizure, judgment was entered condemning said portion and ordering that all the product be released under bond for segregation and destruction of the unfit portion under the supervision of the Food and Drug Administration. On November 3 and 4 and December 4, 1941, and March 10, 1942, no claimant having appeared for the remainder of the cheese, judgments were entered ordering that the product be destroyed.

3499. Adulteration of cheese. U. S. v. 95 Cheeses. Consent decree of condemnation. Product ordered released under bond for salvaging. (F. D. C. No. 6691. Sample No. 62386-E.)

Examination showed that this product contained insect fragments.

On January 17, 1942, the United States attorney for the Northern District of Illinois filed a libel against 95 cheeses at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about November 7 and 10, 1941, by Tolibia Cheese Corporation from Fond du Lac, Wis.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and that it had been prepared and held under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Asiago Cheese."

On February 27, 1942, Tolibia Cheese Corporation, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for salvaging under the supervision of the Food and Drug Administration. Subsequently it was denatured.

3500. Adulteration of cheese. U. S. v. 1,665 Molds, 114 Molds, 52 Boxes, and 140 Bushel Baskets of Cheese. Decree of condemnation. Portion of product ordered released under bond to be reconditioned; remainder ordered destroyed. (F. D. C. No. 7113. Sample Nos. 74778-E to 74780-E, incl.)

This product was contaminated with filth, such as insects and larvae, insect fragments, and rodent hairs. Portions also showed evidence of having been gnawed by rodents.

On April 2, 1942, the United States attorney for the Southern District of New York filed a libel against 1,779 molds, 52 boxes, and 140 bushel baskets of cheese at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about February 12, 1942, by Sam Konugres from Trinidad, Colo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On April 25, 1942, Sam Konugres, claimant for the 1,665 molds of cheese, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for elimination of the filthy and rodent-gnawed portions under the supervision of the Food and Drug Administration. On May 21, 1942, no claimant having appeared for the remainder of the cheese, judgment of condemnation was entered and the product was ordered destroyed.

3501. Adulteration of Cheddar cheese. U. S. v. 435 Cases of Cheese. Consent decree of condemnation. Product ordered released under bond to be reprocessed. (F. D. C. No. 7081. Sample No. 71496-E.)

Analysis indicated that the solids of this product contained less than 50 percent of milk fat.

On March 20, 1942, the United States attorney for the Eastern District of Arkansas filed a libel against 435 cases of cheese at Little Rock, Ark., alleging that the article had been shipped in interstate commerce on or about December 22 and 23, 1941, from Tescott, Kans.; and charging that it was adulterated in that a substance deficient in milk fat had been substituted wholly or in part for Cheddar cheese, which it purported to be. The article was labeled in part: "Selected Countryside Cheese * * * 20 Lbs. 8 Oz."

On April 15, 1942, Tescott Cheese Co., Tescott, Kans., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reprocessed under the supervision of the Food and Drug Administration. On May 1, 1942, an order was entered correcting an error in the decree with respect to the identity of the