4573. Adulteration of butter. U. S. v. Theodore I. Flittie (Flittie Creamery). Plea of guilty. Fine, $25. (F. D. C. No. 7255. Sample No. 62372–E.)

On June 25, 1942, the United States attorney for the District of South Dakota filed an information against Theodore I. Flittie, trading as Flittie Creamery, at Wessington Springs, S. Dak., alleging shipment on or about November 20, 1941, from the State of South Dakota into the State of Illinois of a quantity of butter that was adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom, and in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On May 12, 1943, the defendant having entered a plea of guilty, the court imposed a fine of $25.

4574. Adulteration of butter. U. S. v. 17 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 9566. Sample No. 30736–F.)

On February 26, 1943, the United States attorney for the Western District of Washington filed a libel against 17 cartons, each carton containing 30 prints, of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about February 20, 1943, by the Boundary Creamery Co. from Bonners Ferry, Idaho; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: (Carton) "Butter Puget Sound Butter & Egg Co. Seattle, Wash.," (print) "Washington Maid Fine Creamery Butter."

On March 1, 1943, the Boundary Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

4575. Misbranding of butter. U. S. v. 4 Boxes (256 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 9464. Sample No. 13546–F.)

On February 1, 1943, the United States attorney for the Western District of Washington filed a libel against 4 boxes, each containing 64 1-pound prints, of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about January 27, 1943, by the Cottage Grove Creamery from Cottage Grove, Oreg.; and charging that it was misbranded in that the statement in the labeling "One Pound," was false and misleading since the package contained less than that quantity, and in that the label failed to bear an accurate statement of the quantity of the contents, since the quantity stated was incorrect. The article was labeled in part: (Print) "Red Rose Brand."

On February 17, 1943, the Walter Ely Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

CHEESE

Nos. 4576 to 4590 report legal actions involving cheese, samples of which were found to be contaminated with insect or rodent infestation, such as insect fragments, rodent hairs, or other kinds of filth. In addition **Nos. 4576 and 4590** were low in fat.

4576. Adulteration and misbranding of cheese and adulteration of butter. U. S. v. Kyle Creamery Association. Plea of guilty. Fine, $500. (F. D. C. No. 7673. Sample Nos. 80064–E to 80067–E, incl., 80074–E.)

Samples of these products were found to contain filth such as rodent hairs, larvae skins, fragments of small beetles, particles of aluminum paint, cow hairs, feather barbules, rodent pellets, and larvae. Portions of the cheese contained less than 50 percent of milk fat.

On October 28, 1942, the United States attorney for the Southern District of Indiana filed an information against the Kyle Creamery Association, a corporation, at Aurora, Ind., alleging shipment within the period from on or about March 30 to April 20, 1942, from the State of Indiana into the State of Ohio of quantities of cheese that was adulterated and misbranded and of butter that was adulterated. The cheese was labeled in part: "Whole Milk Cheese." The butter was labeled in part: (Wrapper) "Creamery Butter J. T. Ruther & Sons Cincinnati, Ohio Distributors."