

than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: (Print) "Dairy Maid Brand Fancy Creamery Butter \* \* \* By Enoch Schultz Creamery Bismarck—North Dakota."

On February 8, 1943, the Enoch Schultz Creamery of Bismarck, N. Dak., having appeared as claimant and having admitted the allegations of the libel and 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.

**4968. Adulteration of butter. U. S. v. 11 Boxes of Butter. Decree of condemnation. Product ordered released under bond for reworking.** (F. D. C. No. 9466. Sample No. 19841-F.)

On January 30, 1943, the United States attorney for the District of Massachusetts filed a libel against 11 54-pound boxes of butter at Springfield, Mass., alleging that the article had been shipped in interstate commerce on or about January 13, 1943, by the Farmers' Cooperative Creamery Association from Big Rapids, Mich.; 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.

On April 19, 1943, the Farmers' Cooperative Creamery Association having appeared as claimants and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration so that it contain at least 80 percent by weight of milk fat.

**4969. Misbranding of butter. U. S. v. 5 Cases and 1 Case of Butter. Default decree of condemnation. Product ordered distributed to a charitable institution.** (F. D. C. No. 9569. Sample No. 32637-F.)

This product was short weight.

On March 1, 1943, the United States attorney for the Eastern District of Kentucky filed a libel against 5 32-pound cases and 1 19-pound case of butter at Ashland, Ky., alleging that the article had been shipped in interstate commerce on or about February 22, 1943, by the Blue Valley Creamery from Columbus, Ohio; and charging that it was misbranded. The article was labeled in part: (Individual print wrapper) "Blue Valley Butter \* \* \* 8 Ounces Net Weight."

The article was alleged to be misbranded in that the prints did not contain 8 ounces net weight as labeled.

On March 22, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

#### CHEESE

Nos. 4970 to 4975 report seizures involving cheese, samples of which were found to be contaminated with one or more types of filth, such as unidentified hairs and rodent hairs, rodent hair fragments, insect fragments, fibrous plant particles, straw, small pieces of metal, and nondescript dirt. In most instances, contamination resulted from preparation of the product under insanitary conditions.

**4970. Adulteration of Cheddar cheese. U. S. v. 21½ Boxes and 38½ Boxes of Cheddar Cheese. Default decree of condemnation and destruction.** (F. D. C. No. 7969. Sample Nos. 9204-F, 9205-F.)

On July 22, 1942, the United States attorney for the Southern District of Alabama filed a libel against a total of 59 boxes and 2 half-boxes of Cheddar cheese at Mobile, Ala., alleging that the article had been shipped in interstate commerce on or about June 21 and 22, 1942, by Armour Creameries from New Albany, Miss.; and charging that it was 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 may have become contaminated with filth. The article was labeled in part: "Armour's Cloverbloom American Cheddar Cheese."

On January 12, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**4971. Adulteration of Cheddar cheese. U. S. v. 42 Boxes of White Cheddar Cheese. Default decree of condemnation. Product ordered sold.** (F. D. C. No. 7771. Sample No. 86577-E)

On June 16, 1942, the United States attorney for the Western District of Wisconsin filed a libel against 42 boxes of white Cheddar cheese at Monroe, Wis., alleging that the article had been shipped in interstate commerce on or about May 13, 1942, by Schmidt Bros. from Orangeville, Ill.; and charging that it was 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 may have become contaminated with filth.

On September 24, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On August 12, 1943, the order of condemnation was amended providing for the sale of the product to the highest bidder for use other than for human consumption.

**4972. Adulteration of Cheddar cheese. U. S. v. 45 Boxes of White Cheddar Cheese. Default decree of condemnation. Product ordered sold. (F. D. C. No. 7779. Sample No. 86579-E.)**

On June 17, 1942, the United States attorney for the Western District of Wisconsin filed a libel against 45 boxes of white Cheddar cheese at Monroe, Wis., alleging that the article had been shipped in interstate commerce on or about May 15, 1942, by the Davis Cheese Co, from Davis, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On October 16, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On August 12, 1943, the order of condemnation was amended providing for sale of the product to the highest bidder for purposes other than for human consumption.

**4973. Adulteration of Cheddar cheese. U. S. v. 107 Hoops and 8 Boxes of Cheddar Cheese. Decree of condemnation. Product ordered released under bond for reworking. (F. D. C. Nos. 7890, 7891. Sample Nos. 7301-F, 7302-F, 7401-F.)**

On July 14, 1942, the United States attorney for the District of Minnesota filed libels against 107 hoops of Cheddar cheese at South St. Paul, Minn., and 8 boxes of cheese at Pine Island, Minn., alleging that the article had been shipped in interstate commerce within the period from on or about June 15 to 30, 1942, by the John Stettler Estate, Riceville, Iowa; 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 may have become contaminated with filth.

On November 14, 1942, Elise Stettler, as administratrix of the estate of John Stettler, filed an answer denying the allegation of adulteration. On June 14, 1943, the claimant having filed a new answer admitting the material 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. It was denatured and disposed of for animal feed.

**4974. Adulteration of Cheddar cheese. U. S. v. 127 Boxes of Cheese. Default decree of condemnation. Product ordered sold. (F. D. C. No. 7965. Sample No. 7210-F.)**

On July 23, 1942, the United States attorney for the Western District of Wisconsin filed a libel against 127 71-pound boxes of cheese at Fennimore, Wis., alleging that the article had been shipped in interstate commerce on or about July 8, 1942, by the Gunder Cooperative Cheese Factory from Gunder, Iowa; 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 may have become contaminated with filth. The article was labeled in part: (Cheese) "AJG Cheddar Cheese Iowa Cheese Graders No. 160."

On September 24, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On August 12, 1943, the order of condemnation was amended providing for the sale of the product to the highest bidder for use other than for human consumption.

**4975. Adulteration of Cheddar cheese. U. S. v. 168 Cheeses. Default decree of condemnation. Product ordered sold. (F. D. C. No. 8283. Sample No. 7717-F.)**

On August 29, 1942, the United States attorney for the Western District of Wisconsin filed a libel against 168 cheeses at Thorp, Wis., alleging that the article had been shipped in interstate commerce on or about July 17, 1942, by Stuart C. Johnsrud from Cresco, Iowa; and charging that it was adulterated in that it consisted in whole or in part of filthy substances and decomposed substances caused by gassy fermentation.

On September 24, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On August 12, 1943, the order of condemnation was amended providing for the sale of the product to the highest bidder for use for other than human consumption.

**4976. Adulteration and misbranding of Cheddar cheese. U. S. v. 8 Daises (in cases) of Cheddar Cheese. Default decree of condemnation and destruction. (F. D. C. No. 9249. Sample No. 9841-F.)**

On January 29, 1943, the United States attorney for the Eastern District of Louisiana filed a libel against 8 daises of Cheddar cheese (in cases) at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about