

CHARGE: 402(a)(3)—when shipped, the article contained decomposed butter.
DISPOSITION: 9-26-60. Consent—claimed by Sugar Creek Creamery Co., a Division of National Dairy Products Corp., and converted into oil.

28550. Butter. (F.D.C. No. 47640. S. No. 74-091 T.)

QUANTITY: 20 60-lb. ctns., at New York, N.Y.

SHIPPED: 8-30-62, from Monticello, Iowa, by Consolidated Shippers, Worthington, Iowa.

LABEL IN PART: "It's Better With . . . Hotel Bar Butter Creamery Butter Keep Refrigerated."

LIBELED: 9-19-62, S. Dist. N.Y.

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

DISPOSITION: 10-2-62. Consent—claimed by Frederick F. Lowenfels & Son, New York, N.Y., and reworked.

28551. Butter. (F.D.C. No. 47642. S. No. 91-351 T.)

QUANTITY: 59 64-lb. ctns., at Sioux City, Iowa.

SHIPPED: 8-27-62, from Randolph, Nebr., by Randolph Creamery.

LABEL IN PART: "Creamery Butter Keep Refrigerated."

LIBELED: 9-14-62, N. Dist. Iowa.

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

DISPOSITION: 10-17-62. Consent—claimed by Randolph Creamery and converted into animal feed.

28552. Butter. (F.D.C. No. 47336. S. Nos. 10-034/7 T, 10-040 T.)

INFORMATION FILED: 8-14-62, W. Dist. Pa., against Bishoff Waynesburg Creamery Co., a corporation, Waynesburg, Pa., and Avery Bishoff, Jr., secretary-treasurer.

ALLEGED VIOLATIONS: On 2-15-61, the defendants caused to be given, to a firm engaged in the business of shipping butter into interstate commerce, a guaranty to the effect that no article shipped by the corporation under the guaranty would be adulterated. Between 11-1-61 and 11-16-61, the defendants caused quantities of an adulterated food, the labeling of which represented the food to be butter, to be shipped to the holder of the guaranty.

CHARGE: 402(b)(1)—a valuable constituent of the article, milk fat, had been in part omitted; and 402(b)(2)—a product which contained less than 80 percent by weight of milk fat was substituted for butter.

PLEA: Nolo contendere.

DISPOSITION: 12-28-62. Corporation—\$2,500 fine, plus costs; individual—\$5 fine.

CHEESE

28553. Grated American cheese products. (F.D.C. No. 46826. S. No. 34-326 T.)

QUANTITY: 8 cases, each containing 12 2-oz. boxes, at Minneapolis, Minn.

SHIPPED: 10-28-61, from Chicago, Ill., by Kraft Foods.

LABEL IN PART: (Box) "Kraft Grated American Cheese Product Sharp Cheddar Flavor 2 Ozs. Net Wt. * * * Kraft Foods * * * Div. National Dairy Products Corp."