

PLEA: Guilty by the corporation to 3 counts; by Mueller to 1 count.

DISPOSITION: 4-5-63. Corporation—\$250 fine, and probation for 1 year; Mueller—\$250 fine suspended.

28930. Butter. (F.D.C. No. 47646. S. No. 22-862 V.)

QUANTITY: 57 64-lb. ctns., at Denver, Colo.

SHIPPED: 2-9-63, from Hillsboro, Kans., by Tip Top Dairies Co.

LABEL IN PART: "Tip Top Dairies Co. Hillsboro, Kansas Butter."

LIBELED: 3-4-63, Dist. Colo.

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

DISPOSITION: 4-19-63. Consent—claimed by Tip Top Dairies Co. and re churned.

CHEESE

28931. Grated cheese. (F.D.C. No. 48951. S. Nos. 83-084/5 V.)

QUANTITY: 35 100-lb. bags, at North Bergen, N.J.

SHIPPED: 2-28-63 and 3-20-63, from Hinesburg, Vt., by C. Economou Cheese Corp.

LABEL IN PART: (Bag) "32 Romanello Cheese Mfg. by Economou Cheese Corp. Hinesburg, Vt."

LIBELED: On or about 5-3-63, Dist. N.J.

CHARGE: 402(a)(3)—contained rodent hairs; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 6-27-63. Default—destruction.

MISCELLANEOUS DAIRY PRODUCT

28932. Nonfat dry milk. (F.D.C. No. 48849. S. Nos. 21-100 V, 23-507 V.)

QUANTITY: 101 cases, each containing 12 1-lb. 9.6-oz. pkgs., at Salt Lake City, Utah, in possession of Sunfresh Products of Utah, Inc.

SHIPPED: Between 2-14-63 and 4-4-63, from Eau Claire, Wis., by Dairy Maid Products Co.

LABEL IN PART: (Pkg.) "Flash * * * Instant Nonfat Dry Milk * * * Distributed by Dried Milk Products Co-op., Eau Claire, Wis."

ACCOMPANYING LABELING: Loose-leaf sales manual containing an assortment of 10 different reprints of various newspaper articles and sales literature, and booklet entitled "Medical Reference Material."

RESULTS OF INVESTIGATION: The sales manual had been compiled by the dealer and together with the above booklet was used in promoting sales of the article.

LIBELED: 4-18-63, Dist. Utah.

CHARGE: 403(a)—when shipped and while held for sale, the labeling of the article contained false and misleading representations that the article was adequate and effective to promote growth, strength, sound teeth and good digestion, energy, healthy nerves, eyes and skin, sound bones, regulate muscle tissue and nerve processes, long life, physical development, resistance to infection and disease, mental vigor, body weight maintenance, and functioning of vital organs and glands, and for the treatment and prevention of heart attacks and strokes, heart failure, atherosclerosis, arteriosclerosis