

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 7-20-61, Dist. N.J.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 9-26-61. Default—delivered to a charitable institution.

28139. Puffed wheat. (F.D.C. No. 46098. S. No. 96-627 R.)

QUANTITY: 26 cases, 18 pkgs. each, at Camden, N.J.

SHIPPED: 6-30-61, from Shiremanstown, Pa., by Quaker Oats Co.

LABEL IN PART: (Pkg.) "Quaker Puffed Wheat * * * Weight 6 Oz. Net Manufactured by The Quaker Oats Company * * * Chicago."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 7-28-61, Dist. N.J.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 9-26-61. Default—destruction.

28140. Milo grain. (F.D.C. No. 47025. S. No. 29-184 T.)

QUANTITY: 2,200 bushels at Fremont, Nebr.

SHIPPED: Between 11-27-61 and 12-1-61, from Topeka, Kans., by DeKalb Agricultural Association, Inc.

LIBELED: 2-13-62, Dist. Nebr.

CHARGE: 402(a)(2)(B)—the article was a raw agricultural commodity and, when shipped, contained a pesticide chemical, namely, Heptachlor which is unsafe within the meaning of 408(a) since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on the article has been prescribed by regulations.

DISPOSITION: 3-16-62. Default—destruction.

28141. Milo maize. (F.D.C. No. 47472. S. No. 50-468 T.)

QUANTITY: 111,000 lbs. at Sacramento, Calif.

SHIPPED: 4-4-62, from Oakley, Kans., by Standard Milling Co.

LIBELED: 5-7-62, N. Dist. Calif.

CHARGE: 402(a)(2)(B)—the article was a raw agricultural commodity and, when shipped, contained a pesticide chemical, namely, a mercurial compound, which is unsafe within the meaning of 408(a) since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on milo maize has been prescribed by regulations.

DISPOSITION: 5-21-62. Consent—claimed by Standard Milling Co., Kansas City, Mo. Segregated; 43,950 lbs. destroyed.

DAIRY PRODUCTS

BUTTER

28142. Butter. (F.D.C. No. 43772. S. No. 70-543 T.)

QUANTITY: 38 64-lb. boxes at St. Paul, Minn.

SHIPPED: 4-23-62, from Bismarck, N. Dak., by Capital Milk Products Co.

LABEL IN PART: "622631 64# Net Butter ARMOUR CREAMERIES Distributors Gen'l Office—Chicago, Ill."

LIBELED: 5-8-62, Dist. Minn.

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

DISPOSITION: 6-18-62. Consent—claimed by Capital Milk Products Co., and released under bond for reprocessing.

CHEESE

28143. Cold pack cheese spread. (F.D.C. No. 46406. S. No. 83-658 R.)

QUANTITY: 300 cases, 12 12-oz. jars each, at New York, N.Y.

SHIPPED: 6-26-61, from Hilbert, Wis., by Calumet Cheese Co., Inc.

LABEL IN PART: (Jar) "Wispride Cold Pack Cheese Spread Ingredients: * * * Max. Moisture—47% Min. Fat—20% * * * Mfg. by Calumet Cheese Co., Inc. Hilbert, Wisconsin."

RESULTS OF INVESTIGATION: Examination showed that the article failed to conform to the definition and standard of identity for cold pack cheese food in that it contained more than 44 percent of moisture.

LIBELED: 8-25-61, S. Dist. N.Y.

CHARGE: 403(g) (1)—when shipped, the article failed to conform to the definition and standard of identity for cold pack cheese food.

DISPOSITION: 11-2-61. Consent—claimed by Calumet Cheese Co., Inc., and relabeled.

28144. Cheese. (F.D.C. No. 47251. S. No. 33-227 T.)

QUANTITY: 31 cases, each containing one 60-lb. block of cheese, at Platteville, Wis.

SHIPPED: 2-14-62, from Eureka, S. Dak., by Eureka Cheese Factory.

LABEL IN PART: (Case) "Cheddar Cheese S. Dakota Shipper No. 1 Vat A Feb. 8, 1962."

LIBELED: 3-19-62, W. Dist. Wis.

CHARGE: 402(a) (3)—article was made from filthy milk.

DISPOSITION: 5-1-62. Default—denatured and sold for fish bait.

28145. Gruyere process cheese. (F.D.C. No. 47490. S. No. 12-271 T.)

QUANTITY: 50 cases, 72 pkgs. each, containing 6 1-oz. wedges each, at Milwaukee, Wis.

SHIPPED: 9-22-61, from Lochau, Austria.

LIBELED: 5-14-62, E. Dist. Wis.

CHARGE: 402(a) (3)—contained decomposed cheese while held for sale.

DISPOSITION: 6-20-62. Default—destruction.

28146. Swiss cheese. (F.D.C. No. 47469. S. Nos. 22-837 T., 23-252 T.)

QUANTITY: 286 cases, 12 6-oz. pkgs. each, at Denver, Colo.

SHIPPED: 4-16-62 and 4-23-62, from Thayne, Wyo., by Star Valley Swiss Cheese Co.