LIBELED: 12–11–61, W. Dist. Okla.

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

DISPOSITION: 12–20–61. Consent—claimed by Page Milk Co., Merrill, Wis., and reworked.

27697. Butter. (F.D.C. No. 43769. S. No. 25–905 T.)

QUANTITY: 30 cases, 32 pkgs. each, at Wheeling, W. Va.

SHIPPED: 12–13–61, from Minerva, Ohio, by Minerva Dairy, Inc.

LABEL IN PART: (Pkg.) "Minerva Maid Brand Creamery Butter Manufactured by Minerva Dairy, Inc. Minerva, Ohio. Weight 1 pound."

RESULTS OF INVESTIGATION: Examination showed that the article was deficient in milk fat, and that it was short weight.

LIBELED: 12–22–61, N. Dist. W. Va.

CHARGE: 402(b)(2)—when shipped, a product containing less than 80 percent by weight of milk fat had been substituted for butter; and 403(e)(2)—the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 1–23–62. Default—delivered to a charitable institution.

CHEESE

27698. Cheese spread. (F.D.C. No. 46565. S. No. 45–418 T.)

QUANTITY: 2,320 2-lb. ctns. at St. Louis, Mo.

SHIPPED: Between 2–22–61 and 8–4–61, from Shelbyville, Ill., by Hygrade Food Products Corp.

LABEL IN PART: (Ctn.) "Piedmont Farm Delicious Imitation Pasteurized Process Cheese Spread Ingredients: * * * Hygrade Food Products Corp., * * * Detroit, Mich. * * * Fewer Calories Less Fat."

LIBELED: 10–10–61, E. Dist. Mo.

CHARGE: 402(a)(1)—when shipped and while held for sale, the article contained a deleterious substance, namely, sharp, pointed crystals of lactose monohydrate, which may render it injurious to health; and 403(a)—when shipped, the label statements "Fewer Calories" and "Less Fat" were misleading, since the labeling failed to reveal the foods to which the article was compared.

DISPOSITION: 11–28–61. Consent—claimed by Hygrade Food Products Corp., and released under bond to be reworked and relabeled.

MISCELLANEOUS DAIRY PRODUCTS

27699. Nonfat dry milk. (F.D.C. No. 46782. S. No. 374 T.)

QUANTITY: 440 50-lb. bags at High Point, N.C.

SHIPPED: 11–2–60, from Imlay City, Mich., to Charlotte, N.C., and on 11–8–61, reshipped to High Point, N.C.

RESULTS OF INVESTIGATION: The article had been stored under insanitary conditions at W. J. Edwards & Co., Charlotte, N.C.

LIBELED: 12–8–61, M. Dist. N.C.

CHARGE: 402(a)(3)—contained insects; and 402(a)(4)—held under insanitary conditions.