

**DISPOSITION:** On May 29 and July 26, 1944, no claimant having appeared for the misbranded lot and one of the adulterated lots, judgments of condemnation were entered and the former was ordered delivered to a charitable institution and the latter was ordered disposed of for war purposes. On September 8, 1944, the Merchants Creamery Co., claimant for the remaining adulterated lot, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for rendering or refining into a product not intended for human consumption, under the supervision of the Food and Drug Administration.

**6472. Adulteration and misbranding of butter. U. S. v. 20 Cases of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12795. Sample No. 59481-F.)**

**LIBEL FILED:** April 27, 1944, Northern District of Indiana.

**ALLEGED SHIPMENT:** On or about April 3, 1944, by the C. W. Bush Co., Kankakee, Ill.

**PRODUCT:** 20 cases, each containing 50 1-pound prints, of butter at Hammond, Ind.

**LABEL, IN PART:** (Wrapper) "Delicious Brand \* \* \* Churned by Kankakee Butter Co., Kankakee, Ill. One Pound Net."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding, Section 403 (e) (2), the prints did not contain "One Pound Net," as labeled.

**DISPOSITION:** May 9, 1944. Charles W. Bush, trading as the C. W. Bush Co., Hammond, Ind., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked and brought into compliance with the law under the supervision of the Food and Drug Administration.

**6473. Misbranding of butter. U. S. v. 32 Boxes, 31 Boxes, and 27 Boxes of Butter. Decree of condemnation. Product ordered released under bond to be repacked and relabeled. (F. D. C. No. 12061. Sample No. 39270-F.)**

**LIBEL FILED:** January 17, 1944, Southern District of California.

**ALLEGED SHIPMENT:** On or about December 31, 1943, by the Farmers Union Cooperative Creamery Co., from Fairbury, Nebr.

**PRODUCT:** 90 boxes, each containing 48 1-pound prints, of butter at Los Angeles, Calif.

**LABEL, IN PART:** (Print) "One Pound Net Clover Leaf Brand Creamery Butter Manufactured by Clover Leaf Dairies."

**VIOLATION CHARGED:** Misbranding, Section 403(a), the prints did not contain "One Pound Net," as labeled.

**DISPOSITION:** February 24, 1944. W. K. Wilson, trading as the Peerless Egg Co., Los Angeles, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for repacking and relabeling under the supervision of the Food and Drug Administration.

**6474. Misbranding of butter. U. S. v. 60 Cases of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 11115. Sample Nos. 35535-F.)**

**LIBEL FILED:** October 21, 1943, Western District of North Carolina.

**ALLEGED SHIPMENT:** On or about October 12, 1943, by the Cherokee Creamery, Inc., from Cedartown, Ga.

**PRODUCT:** 60 cases, each containing 30 1-pound cartons, of butter, at Charlotte, N. C.

**LABEL, IN PART:** (Cartons) "Cherokee Rose Process Butter 1 Pound Net."

**VIOLATIONS CHARGED:** Misbranding, Section 403 (a), the statements on the carton "1 Pound Net," and on the print wrapper, "Net Weight Not Less Than 4 OZS.," were false and misleading as applied to the article, which was short-weight; and, Section 403 (e) (2), it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** November 22, 1943. The Cherokee Creamery, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was en-

tered and the product was ordered released under bond to be repacked and relabeled under the supervision of the Food and Drug Administration.

#### CHEESE AND MILK

**6475. Adulteration of white Cheddar cheese. U. S. v. 61 Boxes of White Cheddar Cheese. Default decree of forfeiture. Product ordered sold for use other than human consumption. (F. D. C. No. 7953. Sample No. 7205-F.)**

**LIBEL FILED:** July 21, 1942, Western District of Wisconsin.

**ALLEGED SHIPMENT:** On or about June 22, 1942, by the Manchester Cheese Co., Manchester, Iowa.

**PRODUCT:** 61 boxes of white Cheddar cheese at Platteville, Wis.

Examination showed that the product contained rodent hair, human hair, insect fragments, and dirt particles.

**LABEL, IN PART:** (Box) "Iowa \* \* \* White Cheddar."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** On September 24, 1942, no claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed. On August 12, 1943, an amended decree was entered ordering that the product be sold for use other than human consumption.

**6476. Adulteration of Cheddar cheese. U. S. v. 97 Cheddar Cheeses and 110 Cheddar Cheeses. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 12104. Sample Nos. 72504-F, 72505-F.)**

**LIBEL FILED:** March 30, 1944, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about February 12 and March 3, 1944, from Maben, Miss., and Hazleton, Iowa.

**PRODUCT:** 207 75-pound Cheddar cheeses at McKenzie, Tenn., in possession of the Southern Gold Cheese Co.

The product was stored under insanitary conditions after shipment. Examination of samples showed that the product contained rodent excreta, rodent hairs, and nondescript dirt.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** May 5, 1944. The Southern Gold Cheese Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be trimmed away and destroyed or rendered into grease for the war effort, under the supervision of an employee of the Federal Security Agency. On June 15, 1944, an amended decree was entered, ordering that the trimmings be denatured for use as hog feed, under the supervision of a representative of the Federal Security Agency.

**6477. Adulteration of grated cheese. U. S. v. 7 Cases of Grated Cheese (and 7 other seizure actions against grated cheese). Default decrees of condemnation and destruction. (F. D. C. Nos. 11634, 11753, 11818, 11857, 11968, 12092, 12323, 12384, 12497. Sample Nos. 30371-F, 60504-F, 60511-F, 60512-F, 60518-F, 60519-F, 60541-F, 60611-F, 60612-F, 60624-F to 60626-F, incl., 67470-F.)**

**LIBELS FILED:** Between January 12 and June 3, 1944, District of Nevada, Northern District of California, and Northern District of Ohio.

**ALLEGED SHIPMENT:** From on or about November 26, 1943, to April 8, 1944, by the Ehrat Cheese Co., from Chicago, Ill.

**PRODUCT:** Various cartons and cases containing the following amounts of grated cheese: 5,556 1½-ounce packages, 192 4-ounce packages, and 108 3-ounce packages at San Francisco, Calif.; 1,584 1½-ounce cans and 288 2-ounce cans at Reno, Nev.; 1,008 2-ounce cans and 1,152 1½-ounce cans at Sacramento, Calif.; 348 1½-ounce envelopes at Oakland, Calif.; and 576 1-pound cans at Cleveland, Ohio.

**LABEL, IN PART:** (Cans, envelopes, or cartons) "Riviera Imported Type Grated Italian Parmesan Cheese," "Riviera Brand Grated Parmesan Cheese," or "Circle