7095. Adulteration of butter. U. S. v. 6 Cartons (180 pounds) of Butter. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 12792. Sample No. 50294–F.)

LIBEL FILED: May 12, 1944, Northern District of West Virginia.

ALLEGED SHIPMENT: On or about May 5, 1944, by Quaker City Co-operative Creamery Co., from Quaker City, Ohio.

PRODUCT: 6 cartons, each containing 30 1-pound packages, of butter at Wheeling, W. Va.

LABEL, IN PART: "Quaker City Butter."

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

DISPOSITION: June 3, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

7096. Adulteration of butter. U. S. v. 26 Boxes (1,664 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 13132. Sample Nos. 40505–F, 81796–F.)

LIBEL FILED: June 23, 1944, Southern District of New York.

ALLEGED SHIPMENT: On or about June 6, 1944, by Veblen Home Creamery, Veblen, S. Dak.

PRODUCT: 26 boxes, each containing approximately 64 pounds, of butter at New York, N. Y.

LABEL, IN PART: (Boxes) "Butter Distributed by Zenith-Godley Co. N. Y."

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

DISPOSITION: July 10, 1944. Veblen Home Creamery, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

7097. Adulteration of butter. U. S. v. 36 Cases (2,520 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14570. Sample No. 72493–F.)

LIBEL FILED: On October 21, 1944, Western District of Tennessee.

ALLEGED SHIPMENT: On or about October 2, 1944, by Swift & Co., from Springfield, Mo.

PRODUCT: 36 70-pound cases of butter at Memphis, Tenn.

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

DISPOSITION: November 22, 1944. Swift & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be converted into refined butter oil, under the supervision of the Federal Security Agency.

CHEESE

7098. Adulteration of cheese. U. S. v. 85 Boxes of Cheddar Cheese. Decree of forfeiture and destruction. (F. D. C. No. 8924. Sample No. 9759–F.)

LIBEL FILED: November 25, 1942, Western District of Texas.

ALLEGED SHIPMENT: On or about October 15, 1942, by Pauly & Pauly Cheese Co., Green Bay, Wis.

PRODUCT: 85 boxes, each containing 22½ pounds, of Cheddar cheese at San Antonio, Tex.

LABEL, IN PART: (Boxes) "Cheddar Cheese Distributed By Swift & Company * * * Chicago, Ill. Brookfield Branded."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs, insect fragments, manure-like fragments, and nondescript dirt; and, Section 402 (a) (4), it has been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 6, 1944. Martin Beaton, trading as Wrightstown Cheese Factory, Wrightstown, Wis., having filed a claim and answer, the the court found for the Government and ordered the product forfeited and destroyed.