

**8867. Adulteration of butter. U. S. v. 27 Cubes (1,620 pounds) of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 8119. Sample Nos. 10986-F, 10989-F.)**

**LIBEL FILED:** July 17, 1942, Northern District of California.

**ALLEGED SHIPMENT:** On or about July 7, 1942, by the Marwyn Dairy Products Corporation, from Barron, Wis.

**PRODUCT:** 12 60-pound cubes and 15 60-pound cubes of butter at San Francisco, Calif.

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

**DISPOSITION:** September 25, 1942. The Golden State Co., Ltd., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

**8868. Adulteration of butter. U. S. v. 16 Cubes (1,024 pounds) of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 8120. Sample No. 10499-F.)**

**LIBEL FILED:** July 24, 1942, Northern District of California.

**ALLEGED SHIPMENT:** On or about July 10, 1942, by the Cass Clay Cooperative Creamery Association, from Moorhead, Minn.

**PRODUCT:** 16 64-pound cubes of butter at San Francisco, Calif.

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

**DISPOSITION:** August 4, 1942. The Wilsey Bennett 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 brought into compliance with the law, under the supervision of the Food and Drug Administration.

**8869. Adulteration of butter. U. S. v. 12 Cartons (768 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15774. Sample Nos. 5662-H, 18835-H.)**

**LIBEL FILED:** February 21, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about February 1, 1945, by the Farmers Cooperative Creamery Association, from Storden, Minn.

**PRODUCT:** 12 64-pound cartons of butter at New York, N. Y.

**LABEL, IN PART:** "Butter S. & W. Waldbaum Inc. Distributors 5013 New York, N. Y."

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

**DISPOSITION:** March 3, 1945. The Farmers Cooperative Creamery Association, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

**8870. Adulteration of butter. U. S. v. 37 Boxes (1,184 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15775. Sample Nos. 6088-H, 18836-H.)**

**LIBEL FILED:** March 1, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about February 7, 1945, by the Farmers Cooperative Creamery Co., Madison, S. Dak.

**PRODUCT:** 37 32-pound boxes of butter at New York, N. Y.

**LABEL, IN PART:** "Gagnon's \* \* \* Wm. C. Gagnon \* \* \* Butter."

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

**DISPOSITION:** March 15, 1945. The Eastern Cooperative Wholesale, Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

**8871. Adulteration of butter. U. S. v. 12 Boxes and 10 Boxes (1,320 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 15777, 15782. Sample Nos. 13820-H, 13821-H.)**

**LIBELS FILED:** February 24 and March 6, 1945, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about February 14, 1945, by the Maple Valley Creamery, from Mapleton, Iowa.

**PRODUCT:** 22 60-pound boxes of butter at Cleveland, Ohio.

**LABEL, IN PART:** "Butter Sold by Stonehill Cr'y Cleveland, Ohio."

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

**DISPOSITION:** March 13, 1945. The Stonehill Creamery Co., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

**8872. Adulteration of butter. U. S. v. 70 Cubes (4,620 pounds) of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 7999. Sample No. 10482-F.)**

**LABEL FILED:** July 9, 1942, Northern District of California.

**ALLEGED SHIPMENT:** On or about June 24, 1942, by the National Butter Co., from Minnesota Transfer, Minn.

**PRODUCT:** 70 66-pound cubes of butter at San Francisco, Calif.

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

**DISPOSITION:** August 4, 1942. The Wilsey Bennett Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

#### CHEESE \*

**8873. Adulteration of Cheddar cheese. U. S. v. 142 Cheeses. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 15734. Sample No. 735-H.)**

**LABEL FILED:** March 24, 1945, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about June 22, 1944, from Columbus, Miss.

**PRODUCT:** 142 cheeses, each weighing about 70 pounds, at Atlanta, Ga., in the possession of the Atlantic Co. This product had been stored under insanitary conditions after shipment. The cheeses had been gnawed by rodents, and rodent pellets and several rodent nests were observed on them. One of the nests contained seven live rodents.

**NATURE OF CHARGE:** 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:** April 20, 1945. The Atlantic 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 fit portion be separated from the unfit, and that the unfit portion be disposed of as animal feed or industrial fats, under the supervision of the Food and Drug Administration.

**8874. Adulteration of Cheddar cheese. U. S. v. 56 Cheddar Cheeses and 1 Daisy of Cheddar Cheese. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15736. Sample Nos. 542-H to 545-H, incl., 736-H to 738-H, incl.)**

**LABEL FILED:** March 24, 1945, Northern District of Georgia.

**ALLEGED SHIPMENT:** Between the approximate dates of September 23, 1943, and August 16, 1944, from Walnut, Olive Branch, Columbus, and Corinth, Miss.; Scottsboro, Ala.; and Nashville and Columbia, Tenn.

**PRODUCT:** 56 Cheddar cheeses, weighing about 70 pounds each, and 1 daisy of Cheddar cheese, weighing about 21½ pounds, at Atlanta, Ga., in the possession of the Atlantic Co. Cold Storage. The product was stored under insanitary conditions after shipment. All lots were gnawed by rodents, and rodent excreta was found on the surface of the cheeses and in the holes gnawed by the rodents. Rodent nests containing dead rats were found in portions of the product.

**NATURE OF CHARGE:** 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 stored under insanitary conditions whereby it may have become contaminated with filth.

\*See also No. 8859.