

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2), a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: November 8, 1946. Pleas of guilty having been entered on behalf of both defendants, the court imposed a fine of \$150 against each defendant.

10768. Adulteration of butter. U. S. v. Hygrade Food Products Corporation. Plea of nolo contendere. Fine, \$500 and costs. (F. D. C. No. 18594. Sample No. 16107-H.)

INFORMATION FILED: January 4, 1946, Northern District of Iowa, against the Hygrade Food Products Corporation, Olin, Iowa.

ALLEGED SHIPMENT: Between the approximate dates of August 13 and 16, 1945, from the State of Iowa into the State of Michigan.

LABEL, IN PART: "Hygrade's Valleybrook Brand Butter."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the product; and, Section 402 (b) (2), a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: September 11, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$500, plus costs.

10769. Adulteration of butter. U. S. v. 15 Cases * * *. (F. D. C. No. 18669. Sample Nos. 23111-H, 23115-H.)

LIBEL FILED: August 8, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about June 15, 1945, by Chaseburg Creamery, from Chaseburg, Wis.

PRODUCT: 15 cases, each containing 62 pounds, of butter at St. Louis, Mo.

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

DISPOSITION: October 23, 1945. The Chaseburg Co-operative Creamery Co., claimant, having admitted the allegations of the libel, 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.

10770. Adulteration of butter. U. S. v. 13 Boxes (832 pounds) * * *. (F. D. C. No. 18672. Sample No. 19727-H.)

LIBEL FILED: November 14, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about October 27, 1945, by Murdock Farmers Co-operative Creamery, Murdock, Minn.

PRODUCT: 13 64-pound boxes of butter at New York, N. Y.

LABEL, IN PART: "Butter Distributed by Hunter Walton & Co. * * * New York, N. Y."

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

DISPOSITION: November 27, 1945. The Murdock 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 to be reworked under the supervision of the Food and Drug Administration.

10771. Adulteration of butter and cheese. U. S. v. Plains Cooperative, Inc., and G. Wallace Louthan. Pleas of guilty. Fines of \$500 against the corporation and \$100 against the individual defendant. (F. D. C. No. 18586. Sample Nos. 26151-H, 26152-H.)

INFORMATION FILED: February 14, 1946, Northern District of Texas, against Plains Cooperative, Inc., a corporation, Plainview, Tex., and G. Wallace Louthan, manager.

ALLEGED SHIPMENT: June 18 and 29, 1945, from the State of Texas into the States of California and Missouri.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence, in the butter, of insect fragments, rodent hair fragments, hairs similar to rodent hairs, feather barbules, nondescript dirt, and maggots; the parchment wrappers used in packing the butter were dirty, and mouse pellets identified by mouse hairs were found attached to the parchment wrappers; and the Cheddar cheese contained rodent hairs, feather barbules, dog hairs, cat or dog hairs, human hair, insect leg fragments, plant tissue, fibers, and nondescript dirt. Further adulteration, Section 402 (a) (4), the articles had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: November 25, 1946. Pleas of guilty having been entered, the court imposed fines of \$500 against the corporation and \$100 against the individual defendant.

CHEESE*

10772. Adulteration of cheese. U. S. v. Evert Hagan (El Rey Cheese Co. and Taylor Maid Co.). Plea of nolo contendere. Fine, \$500. (F. D. C. No. 19047. Sample Nos. 31579-H, 31580-H.)

INFORMATION FILED: June 21, 1946, Southern District of California, against Evert Hagan, plant manager of the firm operating as the El Rey Cheese Co. and the Taylor Maid Co., at Los Angeles, Calif.

ALLEGED SHIPMENT: On or about August 4, 1945, from the State of California into the State of Arizona.

LABEL, IN PART: "Sunny Valley Brand ["Taylor Maid Brand"] Pasteurized Sandwich Loaf * * * Mfd. by El Rey Cheese Co. * * * Los Angeles Calif."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of fly fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 12, 1946. A plea of nolo contendere having been entered, the defendant was fined \$250 on each count, a total fine of \$500.

10773. Adulteration of Cheddar cheese. U. S. v. 96 Boxes * * *. (F. D. C. No. 18835. Sample No. 19623-H.)

LIBEL FILED: January 9, 1946, District of Wisconsin.

ALLEGED SHIPMENT: On or about November 29, 1945, by the Lake Como Co-operative Cheese Co., from Hokah, Minn.

PRODUCT: 96 75-pound boxes of Cheddar cheese at La Farge, Wis.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, rodent hairs, and manure; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 27, 1946. Schmitt Brothers Division of The Borden Co., Richland Center, Wis., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be denatured under the supervision of the Food and Drug Administration.

10774. Adulteration and misbranding of Colby cheese. U. S. v. 4 Boxes, etc. (F. D. C. No. 19079. Sample Nos. 19732-H, 19948-H.)

LIBEL FILED: February 7, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about January 4, 1946, by Wuethrich Brothers, from Doylestown, Wis.

PRODUCT: 9 boxes each containing 3 cheeses at St. Paul, Minn.

LABEL, IN PART: "Genuine Colby Wisconsin Junior Cheese," or "Wisconsin * * * Colby Cheese."

*See also No. 10771.