

SHIPPED: 7-25-56, from Indiana to Ohio.

LABEL IN PART: (Ctn.) "30# Butter" or "One Pound Net Weight Amelia Dairy Butter Amelia Dairy Co., Bethel, Ohio Distributors."

CHARGE: 402 (a) (3)—contained insect fragments; 402 (a) (4)—prepared under insanitary conditions; 402 (b) (1)—a valuable constituent, milk fat, had been in part omitted from the article; and 402 (b) (2)—a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

PLEA: Guilty.

DISPOSITION: 3-22-57. \$300 fine, plus costs.

23684. Butter. (F. D. C. No. 39402. S. Nos. 33-485 M, 56-607 M, 60-424 M.)

INFORMATION FILED: 2-27-57, Dist. Nebr., against Herman T. Boland and Alfred L. Olson, partners in Bloomfield Creamery, Bloomfield, Nebr.

SHIPPED: Between 7-18-56 and 8-15-56, from Nebraska to Illinois and Iowa.

LABEL IN PART: (Ctn.) "Butter L. D. Schreiber & Co. Inc. Sales Agents for The Marketing Association of America A Cooperative Distributors Chicago 761 Illinois Net Wt. 64" and "Butter 64 Lbs. Net."

CHARGE: 402 (a) (3)—contained insect fragments and other insect filth, and it was prepared with filth-contaminated cream; and 402 (a) (4)—prepared under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 3-28-57. Each defendant fined \$200, plus costs.

23685. Butter. (F. D. C. No. 37155. S. No. 14-189 M.)

QUANTITY: 36 63-lb. cubes and 45 lbs. at Neosho, Mo.

SHIPPED: On 8-12-55, 21 cans of cream were shipped from various places in Oklahoma to Neosho, Mo., and subsequently were used in the manufacture of the butter.

RESULTS OF INVESTIGATION: The butter was found to be made from decomposed cream.

LIBELED: 8-30-55, W. Dist. Mo.

CHARGE: 402 (a) (3)—when shipped, the cream contained a decomposed substance.

DISPOSITION: 10-26-55. Consent—claimed by Cudahy Packing Co., Neosho, Mo., and converted to butter oil.

#### CHEESE

23686. Cheese. (F. D. C. No. 39365. S. No. 41-339 M.)

INFORMATION FILED: 1-8-57, N. Dist. N. Y., against Wesley J. Alexander, t/a West Martinsburg Cheese Factory, Lowville, N. Y.

ALLEGED VIOLATION: On 2-15-56, the defendant gave to a firm engaged in the business of shipping cheese in interstate commerce a guaranty to the effect that all products shipped by the defendant to the holder of the guaranty would be neither adulterated nor misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act.

On 5-4-56, the defendant shipped a number of boxes of adulterated cheese to the holder of the guaranty at Heuvelton, N. Y.

**CHARGE:** 402 (a) (3)—contained insect fragments and manure fragments and was prepared from filth-contaminated milk; and 402 (a) (4)—prepared under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 1-16-57. \$200 fine.

**23687. Grated cheese.** (F. D. C. No. 39199. S. No. 22-760 M.)

**INFORMATION FILED:** 4-25-57, Dist. Vt., against C. Economou Cheese Corp., Hinesburg, Vt., and Costas Economou, president.

**SHIPPED:** 7-8-55, from Vermont to Massachusetts.

**LABEL IN PART:** (Jar) "Churny Imported Parmesan Style Grated Cheese Contains domestic and imported Italian cheese made from partially skimmed milk Net Wt. 2½ Oz. Packed For Paul Peters Co. Boston."

**CHARGE:** 402 (a) (3)—contained fragments of flies, mites, insect fragments, and moth scales; and 402 (a) (4)—prepared under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 6-27-57. \$500 fine against each defendant.

## FEEDS AND GRAINS

**23688. Menhaden fish meal.** (F. D. C. No. 39391. S. No. 43-097 M.)

**INFORMATION FILED:** 4-30-57, E. Dist. Ill., against Schaefer Feed Co., East St. Louis, Ill., and Robert W. Schaefer, president.

**SHIPPED:** 4-4-56, from Illinois to Missouri.

**LABEL IN PART:** (Bag) "Fish Meal 60% Protein Menhaden."

**CHARGE:** 402 (b) (2)—when shipped, meat and bone scraps, blood meal, horn, and hair had been substituted in part for menhaden fish meal; and 403 (a)—the label statement "Fish Meal \* \* \* Menhaden" was false and misleading.

**PLEA:** Guilty.

**DISPOSITION:** 5-14-57. Corporation—\$2,500 fine; individual—\$1,000 fine and probation for 3 years.

**23689. 60 Protein Feeding Tankage.** (F. D. C. No. 39084. S. No. 120 M.)

**QUANTITY:** 38 100-lb. bags at Fairbury, Nebr.

**SHIPPED:** 3-9-56, from Narka, Kans. This was a return shipment.

**LABEL IN PART:** (Bag) "60 Protein Feeding Tankage."

**RESULTS OF INVESTIGATION:** Examination showed that the article contained a substantial amount of poultry feathers.

**LIBELED:** 3-16-56, Dist. Nebr.

**CHARGE:** 402 (b) (2)—when shipped, poultry feathers had been substituted in part for tankage; 402 (b) (4)—poultry feathers had been added to the article and mixed and packed with it so as to increase its bulk and reduce its quality; 403 (a)—the label designation "Tankage" was false and misleading as applied to tankage which contained poultry feathers; and 403 (i) (2)—the label of the article failed to bear the common or usual name of each ingredient.

**DISPOSITION:** 4-4-56. Consent—destruction.

**23690. Cattle Range Wafers.** (F. D. C. No. 39556. S. No. 25-478 M.)

**QUANTITY:** 800 100-lb. bags at Melville, Mont.

**SHIPPED:** Between 10-29-55 and 2-21-56, from Sioux Falls, S. Dak., by Sharp Milling Co.