11743. Adulteration and misbranding of butter. U. S. v. 994 Tins * * *. (F. D. C. No. 21273. Sample No. 63900–H.)

LIBEL FILED: August 20, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about August 9, 1946, by the Coburn Farm Products Corp., from New York, N. Y.

PRODUCT: 994 tins of butter at Hoboken, N. J.

LABEL, IN PART: "1 Pound Net Wt. Sondra Creamery Butter Packed by Samuel Dunkel & Co., Inc. 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.

Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The tins contained less than the declared weight of one pound.)

DISPOSITION: October 21, 1946. The Coburn Farm Products Corp., 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 all requirements of the law, under the supervision of the Food and Drug Administration.

CHEESE

11744. Adulteration and misbranding of creamed cottage cheese. U. S. v. National Cheese Co., and Louis Sokolsky. Pleas of nolo contendere. Total fines, $1,500 and costs. (F. D. C. No. 21452. Sample Nos. 23671–H, 25167–H, 48931–H.)

INFORMATION FILED: February 4, 1947, Northern District of Illinois, against the National Cheese Co., a corporation, Chicago, Ill., and Louis Sokolsky, president of the corporation.

ALLEGED SHIPMENT: On or about October 15, 1945, to April 8, 1946, from the State of Illinois into the States of Louisiana and Alabama.

LABEL, IN PART: (Portions) "Daisy Brand Cottage Cheese Creamed." The remainder was invoiced as "cr. cott."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing an unpasteurized dairy ingredient had been substituted for creamed cottage cheese, a food which is made from pasteurized dairy ingredients.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for cottage cheese, since the dairy ingredient of the food had not been pasteurized; and, Section 403 (g) (2), the label of one lot failed to bear the name of the food specified in the definition and standard of identity.

DISPOSITION: May 13, 1947. Pleas of nolo contendere having been entered, the corporation was fined $1,000 and Louis Sokolsky was fined $500, plus assessed costs.

11745. Adulteration of process cheese. U. S. v. Blue Moon Foods, Inc., of Illinois, and Herman F. Laabs. Pleas of guilty. Individual defendant fined $250; corporation fined $750 and costs. (F. D. C. No. 21523. Sample No. 40369–H.)

INFORMATION FILED: January 17, 1947, Eastern District of Illinois, against the Blue Moon Foods, Inc., of Illinois, National Stock Yards, Ill., and Herman F. Laabs, vice president and general manager.

ALLEGED SHIPMENT: On or about July 20, 1946, from the State of Illinois into the State of Missouri.

LABEL, IN PART: "Blue Moon Pasteurized Process Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance by reason of the presence of decomposed and moldy cheese, and of a filthy substance by reason of the presence of insect fragments.

DISPOSITION: On or about August 8, 1947, pleas of guilty having been entered, the court imposed fines of $250 against the individual defendant and $750 and costs against the corporation.