

product was ordered released under bond, conditioned that it be reworked, under the supervision of the Food and Drug Administration.

**12276. Adulteration of butter. U. S. v. 14 Cartons \* \* \* (total, 840 pounds).**  
(F. D. C. No. 22974. Sample No. 77084-H.)

**LIBEL FILED:** April 9, 1947, Southern District of New York.

**ALLEGED SHIPMENT:** On or about March 26, 1947, by the New Ulm Dairy Co., New Ulm, Minn.

**PRODUCT:** 14 60-pound cartons of butter at New York, N. Y.

**LABEL, IN PART:** "Butter Distributed by J. R. Kramer, Inc. 2263 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:** April 24, 1947. J. R. Kramer, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be reworked and that any portion that was unfit for human consumption be denatured for nonedible grease purposes, under the supervision of the Federal Security Agency.

**12277. Adulteration of butter. U. S. v. 133 Cubes \* \* \* (total, 8,512 pounds).**  
(F. D. C. No. 23479. Sample No. 70982-H.)

**LIBEL FILED:** June 9, 1947, Southern District of California.

**ALLEGED SHIPMENT:** On or about May 24, 1947, by the Nemaha Cooperative Creamery Association, from Sabetha, Kans.

**PRODUCT:** 133 64-pound cubes of butter at Los Angeles, 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 11, 1947. The Nemaha Cooperative Creamery Assoc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, to be reworked, under the supervision of the Federal Security Agency.

**12278. Adulteration of butter. U. S. v. 504 Cartons \* \* \* (and 2 other seizure actions; total, 1,339½ pounds).** (F. D. C. Nos. 22879, 22890, 22894. Sample Nos. 14936-H, 14937-H, 39017-H, 39018-H, 39787-H, 39788-H.)

**LIBELS FILED:** February 7 and 27, 1947, Eastern District of Michigan.

**ALLEGED SHIPMENT:** On or about January 11, 20, and 23, 1947, by National Cheese Co., from Chicago, Ill.

**PRODUCT:** 2,679 8-ounce cartons of butter at Detroit, Mich. All of the product was found to be deficient in milk fat and 761 cartons also were short-weight.

**LABEL, IN PART:** "Daisy Brand Whipped Butter Sweet [or "Lightly Salted"] 8 Oz. Net Weight."

**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 (portion), Section 403 (a) and (e) (2), the cartons did not contain "8 Oz." as labeled.)

**DISPOSITION:** March 10 and 14, 1947, National Cheese Co., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Federal Security Agency.

**12279. Misbranding of butter. U. S. v. 3 Cartons, etc. (total, 119 pounds).**  
(F. D. C. No. 22880. Sample Nos. 90882-H, 90889-H.)

**LIBEL FILED:** March 6, 1947, District of New Jersey.

**ALLEGED SHIPMENT:** On or about February 17, 1947, by H. Wool, from New York, N. Y. The article was subsequently transported to Orange, New Jersey, on or about February 18, 1947.

**PRODUCT:** 3 cartons, each containing 32 1-pound prints, and 23 1-pound prints of butter at Orange, N. J. Examination showed the article was short-weight.

**LABEL, IN PART:** "Selected Creamery Butter \* \* \* Packed by Poppy Brand Packaging 137 Reade St., N. Y., N. Y. 1 Lb. Net."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The product was short of the declared weight.)

**DISPOSITION:** April 21, 1947. Default decree of condemnation; product ordered denatured and sold for salvage fat.

#### CHEESE

**12280. Adulteration and misbranding of creamed cottage cheese. U. S. v. Creameries of America, Inc. (Arden Sunfreze Creameries). Plea of guilty. Fine, \$100.** (F. D. C. No. 23559. Sample Nos. 85909-H, 85910-H, 85911-H, 91636-H.)

**INFORMATION FILED:** September 2, 1947, District of Utah against Creameries of America, Inc., a corporation, trading as Arden Sunfreze Creameries, Salt Lake City, Utah.

**ALLEGED SHIPMENT:** On or about March 10 and April 30, 1947, from the State of Utah into the State of Nevada.

**LABEL, IN PART:** "Maid O'Clover [or "Arden"] Creamed Cottage Cheese."

**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 substance containing less than 4 percent by weight of milk fat and more than 80 percent of moisture had been substituted for creamed cottage cheese.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for creamed cottage cheese since it contained less than 4 percent by weight of milk fat and more than 80 percent of moisture.

**DISPOSITION:** September 19, 1947. A plea of guilty having been entered on behalf of the defendant, a fine of \$100 was imposed.

**12281. Adulteration of cheese. U. S. v. Farmers Creamery Company. Plea of guilty. Fine, \$250 and costs.** (F. D. C. No. 23334. Sample No. 77184-H.)

**INFORMATION FILED:** September 25, 1947, Northern District of Iowa, against the Farmers Creamery Co., a corporation, Ryan, Iowa.

**ALLEGED SHIPMENT:** On or about April 16, 1947, from the State of Iowa into the State of Wisconsin.

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

**DISPOSITION:** September 25, 1947. A plea of guilty having been entered, the court imposed a fine of \$250 and costs.

**12282. Adulteration of Cheddar cheese. U. S. v. 102 Boxes \* \* \*. (F. D. C. No. 23028. Sample No. 77184-H.)**

**LIBEL FILED:** May 12, 1947, Western District of Wisconsin.

**ALLEGED SHIPMENT:** On or about April 16, 1947, by the Farmers Creamery Co., from Ryan, Iowa.

**PRODUCT:** 102 boxes, each containing about 70 pounds, of Cheddar cheese at Platteville, Wis.

**LABEL, IN PART:** "Cheddar Cheese Iowa Factory No. 2."

**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 rodent hair, insect fragments, and manure fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** June 18, 1947. Default decree of forfeiture. Product ordered denatured and sold for purposes other than for human consumption or destroyed.

**12283. Adulteration and misbranding of Cheddar cheese. U. S. v. 49 Cases \* \* \* (F. D. C. No. 23371. Sample No. 82443-H.)**

**LIBEL FILED:** July 23, 1947, Western District of Washington.