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: June 21, 1948. The Redwood 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 reworked under the supervision of the Food and Drug Administration.

13085. Adulteration and misbranding of butter. U. S. v. National Cheese Co., a corporation, and Louis Sokolsky. Pleas of guilty. Corporation fined $500 and costs; individual fined $100 and costs. (F. D. C. No. 23307. Sample Nos. 14936–H, 14937–H, 39016–H to 39018–H, incl., 39787–H, 39788–H, 50547–H.)

INFORMATION FILED: August 8, 1947, Northern District of Illinois, against the National Cheese Co., Chicago, Ill., and Louis Sokolsky, president.

ALLEGED SHIPMENT: On or about November 16, 1946, and January 20, 21, and 23, 1947, from the State of Illinois into the States of Michigan and Louisiana.

LABEL, IN PART: "Daisy Brand * * * Whipped Butter 8 Oz. Net Weight."

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

Misbranding (one lot), Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. The label statement "8 Oz. Net Weight" was inaccurate, since the cartons contained less than 8 ounces net weight.

DISPOSITION: November 6, 1947. Pleas of guilty having been entered, the corporation was fined $500 and the individual defendant was fined $100, plus costs.

13086. Adulteration and misbranding of butter. U. S. v. 24 Cases * * *. (F. D. C. No. 24836. Sample No. 36481–K.)

LIBEL FILED: April 13, 1948, Western District of Washington.

ALLEGED SHIPMENT: On or about April 5, 1948, by Home Creamery, from Helena, Mont.

PRODUCT: 24 cases, each containing 50 1-pound prints, of butter at Seattle, Wash.

LABEL, IN PART: (Shipping case) "Home Creamery Helena, Mont."

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) (1), the package failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear an accurate statement of the quantity of the contents, since it bore no statement of the quantity of the contents; and, Section 403 (i) (1), its label did not bear a statement of the common or usual name of the food.

DISPOSITION: May 7, 1948. The Home Creamery, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be rechurned and relabeled under the supervision of the Food and Drug Administration.

CHEESE

13087. Adulteration of Cheddar cheese. U. S. v. Southern Gold Cheese Co., Inc. Plea of nolo contendere. Fine, $500 and costs. (F. D. C. No. 22083. Sample No. 53713–H.)

INFORMATION FILED: February 21, 1948, Western District of Kentucky, against the Southern Gold Cheese Co., Inc., of McKenzie, Tenn., and Fredonia, Ky.

ALLEGED SHIPMENT: On or about December 5, 1946, from the State of Kentucky into the State of Tennessee.

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

DISPOSITION: April 19, 1948. A plea of nolo contendere having been entered, a fine of $500, together with costs, was imposed.