ALLEGED SHIPMENT: On or about August 20, 1949, by the Berger Creamery Co., from South Sioux City, Nebr.

PRODUCT: 116 64-pound cartons of butter at New York, N. Y.

LABEL, IN PART: "Salted Butter William Menzer Inc. Distributor New York."

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 (a), the article was labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

DISPOSITION: September 22, 1949. William Menzer, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for reworking, under the supervision of the Federal Security Agency.

15577. Adulteration of butter. U. S. v. 12 Cartons (792 pounds) * * *. (F. D. C. No. 27869. Sample No. 45494-K.)

LIBEL FILED: May 4, 1949, Northern District of Iowa.

ALLEGED SHIPMENT: On or about April 25, 1949, by the East Chain Co-op. Creamery Assn., from Fairmont, Minn.

PRODUCT: 12 66-pound cartons of butter at Dubuque, Iowa.

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: May 19, 1949. The East Chain Co-op. Creamery Assn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reworking, under the supervision of the Federal Security Agency.

CHEESE

15578. Adulteration of skim milk cheese. U. S. v. 48 Cartons, etc. (F. D. C. No. 27608. Sample Nos. 11959-K, 11960-K.)

LIBEL FILED: July 28, 1949, District of New Jersey.

ALLEGED SHIPMENT: On or about June 7, 1949, by the Niobe Cheese Co., from Niobe, N. Y.

PRODUCT: Skim milk cheese. 48 cartons, each containing approximately 37 pounds, and 14 barrels, each containing approximately 300 pounds, at Jersey City, N. J.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was adulterated by reason of the presence of insect fragments and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 6, 1949. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

MISCELLANEOUS DAIRY PRODUCT

15579. Misbranding of nonfat dry milk solids. U. S. v. 327 Bags * * *. (F. D. C. No. 27747. Sample No. 49834-K.)

LIBEL FILED: September 20, 1949, District of Colorado.

ALLEGED SHIPMENT: On or about July 20, 1949, by Cresthaven Farms, Inc., from Zumbro Falls, Minn.

PRODUCT: 327 100-pound bags of nonfat dry milk solids at Denver, Colo.

LABEL, IN PART: "Roller Non Fat Dry Milk Solids."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for nonfat dry milk solids since it was not made from sweet milk of cows, as provided in the definition and standard, but was made from neutralized sour skim milk.

DISPOSITION: October 27, 1949. Cresthaven Farms, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be denatured and sold as animal feed, under the supervision of the Federal Security Agency.

EGGS

15580. Adulteration and misbranding of frozen whole eggs. U. S. v. 40 Cans * * *. (F. D. C. No. 26083. Sample No. 9238–K.)

LIBEL FILED: November 23, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about October 6, 1948, by the Iowa Falls Poultry & Egg Co., from Iowa Falls, Iowa.

PRODUCT: 40 30-pound cans of frozen whole eggs at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

Misbranding, Sections 403 (e) (1) and (2), the product was a food in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (g) (2), it purported to be frozen whole eggs, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the food specified in the definition and standard.

DISPOSITION: December 23, 1948. Bovers & Rosenblum, Inc., New York, N. Y., having appeared as claimant, judgment was entered and the court ordered that the product be released under bond for segregation and denaturing of the unfit portion for use as animal feed or commercial use, under the supervision of the Food and Drug Administration. Segregation operations resulted in the release of 30 cans of eggs as good and the denaturing of the remaining 10 cans.

FEEDS AND GRAINS

15581. Adulteration and misbranding of alfalfa meal. U. S. v. Bremco Alfalfa Mills, Inc. Plea of guilty. Fine of $100 and costs. (F. D. C. No. 26811. Sample No. 44228–K.)

INFORMATION FILED: August 9, 1949, Northern District of Ohio, against the Bremco Alfalfa Mills, Inc., New Bremen, Ohio.

ALLEGED SHIPMENT: On or about October 16, 1948, from the State of Ohio into the State of Kentucky.

PRODUCT: The product was unlabeled but was invoiced as "17% Dehydrated Alfalfa Meal."