

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: February 20, 1951. Consolidated Dairies of Lake County, 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 for rechurning, under the supervision of the Food and Drug Administration.

CHEESE

17321. Adulteration of Cheddar cheese. U. S. v. 290 Cases * * *. (F. D. C. No. 30500. Sample Nos. 29836-L, 29837-L, 30012-L.)

LIBEL FILED: February 5, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about November 13 and December 19, 1950, by the H. C. Christians Co., from Chicago, Ill.

PRODUCT: 290 cases, containing a total of 3,336 pounds, of Cheddar cheese at Seattle, Wash.

LABEL, IN PART: "Wisconsin State Cheddar Cheese Sharp."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance and was unfit for food by reason of being moldy.

DISPOSITION: February 19, 1951. Turner & Pease Co., Inc., Seattle, Wash., 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 reconditioned by trimming, so that all moldy and decomposed portions would be removed. Of the 3,069 pounds which were seized, 1,303 pounds were salvaged and 1,766 pounds were rejected as unfit.

17322. Adulteration of Cheddar cheese. U. S. v. 6 Cheddars * * *. (F. D. C. No. 30724. Sample No. 15060-L.)

LIBEL FILED: March 28, 1951, District of Nebraska.

ALLEGED SHIPMENT: On or about July 7 and December 27, 1950, from Plymouth, Wis.

PRODUCT: 6 Cheddars, each containing approximately 70 pounds, of cheese at Omaha, Nebr.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of mites. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 11, 1951. Default decree of condemnation and destruction.

FEEDS AND GRAINS

17323. Misbranding of cottonseed meal. U. S. v. Nashville Cotton Oil Mill Corp. (Famous Feed Mills). Plea of nolo contendere. Fine, \$250. (F. D. C. No. 30032. Sample No. 39376-K.)

INFORMATION FILED: February 23, 1951, Middle District of Tennessee, against the Nashville Cotton Oil Mill Corp., trading as the Famous Feed Mills, Nashville, Tenn.

ALLEGED SHIPMENT: On or about March 22, 1950, from the State of Tennessee into the State of Kentucky.

LABEL, IN PART: "100 Pounds Net 41% Protein Cottonseed Meal Registered by Nashville Cotton Oil Mill Corp. Nashville, Tennessee Guaranteed Analysis Protein, not less than ——— 41.00 Per Cent."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "41% Protein * * * Guaranteed Analysis Protein, not less than ——— 41.00 Per Cent" was false and misleading since the product contained less than 41 percent of protein.

DISPOSITION: April 3, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$250.

17324. Adulteration and misbranding of pulverized barley and pulverized white oats. U. S. v. Flambeau Milling Co. Plea of nolo contendere. Fine, \$400. (F. D. C. No. 30085. Sample Nos. 79413-K, 79414-K.)

INFORMATION FILED: February 14, 1951, Western District of Wisconsin, against the Flambeau Milling Co., Phillips, Wis.

ALLEGED SHIPMENT: On or about September 22, 1950, from the State of Wisconsin into the State of Massachusetts.

LABEL, IN PART: "Pulverized Barley Guaranteed Analysis * * * Crude Fibre, Max. 9.00%" and "Pulverized White Oats Guaranteed Analysis * * * Fibre, Max. 12.75%."

NATURE OF CHARGE: Adulteration, Sections 402 (b) (2) and (4), substances, namely, dirt, chaff, ground weed seeds, and ground oats, had been substituted for the pulverized barley, and dirt, chaff, ground weed seeds, and barley had been substituted for the pulverized white oats; and such substances had been added to, and mixed and packed with, the products so as to increase their bulk and weight, reduce their quality, and make them appear better and of greater value than they were.

Misbranding, Section 403 (a), the label statements "Pulverized Barley * * * Crude Fibre, Max. 9.00%" and "Pulverized White Oats * * * Fibre, Max. 12.75%" were false and misleading since the products contained the adulterants hereinbefore stated; and, in addition, the pulverized barley contained in excess of 9 percent of fiber, and the pulverized white oats contained in excess of 12.75 percent of fiber.

DISPOSITION: February 19, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$400.

FISH AND SHELLFISH

17325. Adulteration of frozen flounder fillets. U. S. v. 19 Cartons * * *. (F. D. C. No. 29901. Sample No. 81293-K.)

LIBEL FILED: September 26, 1950, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 18, 1950, by J. Adams' & Co., Inc., from Boston, Mass.

PRODUCT: 19 cartons, each containing 10 5-pound boxes, of frozen flounder fillets at Lebanon, Pa.

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

DISPOSITION: March 8, 1951. Default decree of condemnation and destruction.