

court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. The product was converted into alcohol.

20415. Adulteration of wheat. U. S. v. 34,200 Pounds * * *. (F. D. C. No. 34794. Sample No. 61335-L.)

LIBEL FILED: April 1, 1953, District of Nebraska.

ALLEGED SHIPMENT: On or about March 28, 1953, from Whiting, Iowa, by the Southside Cooperative Elevator Co.

PRODUCT: 34,200 pounds of wheat at Omaha, Nebr.

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 excreta.

DISPOSITION: April 2, 1953. The Southside Cooperative Elevator Co., Whiting, Iowa, 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 brought into compliance with the law, under the supervision of the Federal Security Agency. The product was denatured and sold as animal feed.

DAIRY PRODUCTS

BUTTER

20416. Adulteration of butter. U. S. v. Youngstown Creamery Co. Plea of nolo contendere. Fine, \$200. (F. D. C. No. 34346. Sample Nos. 35959-L, 35961-L.)

INFORMATION FILED: May 18, 1953, Northern District of Ohio, against the Youngstown Creamery Co., a corporation, Youngstown, Ohio.

ALLEGED SHIPMENT: On or about September 3, 1952, from the State of Ohio into the State of Pennsylvania.

LABEL, IN PART: "Sweet Cottage Creamery Butter * * * Distributed by The Cottage Creamery Co., Cleveland, Ohio," "Cottage Creamery Sweet Butter * * * The Cottage Creamery Co., Cleveland, Ohio Distributors," "The Cottage Creamery Co., Cleveland, Ohio Dist. * * * Wayne County Butter," and "Wayne County Butter * * * The Cottage Creamery Co., Cleveland, Ohio Distributors."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insect and plant fragments, fly parts, and rodent hair fragments, and it consisted also in part of a decomposed substance by reason of the use of decomposed cream in its manufacture.

DISPOSITION: May 29, 1953. The defendant having entered a plea of nolo contendere, the court fined it \$200.

20417. Adulteration of butter. U. S. v. 196 Cubes (11,760 pounds) * * *. (F. D. C. No. 34170. Sample No. 43676-L.)

LIBEL FILED: May 7, 1953, Northern District of California.

ALLEGED SHIPMENT: On or about April 22, 1953, by the Midland Milk Products Co., from Hannibal, Mo.

PRODUCT: 196 60-pound cubes of butter at San Francisco, 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: June 15, 1953. Wilsey, Bennett Co., San Francisco, Calif., 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 Department of Health, Education, and Welfare.

CHEESE

20418. Misbranding of brick cheese. U. S. v. 15 Boxes * * *. (F. D. C. No. 34966. Sample No. 33508-L.)

LIBEL FILED: April 23, 1953, Northern District of Illinois.

ALLEGED SHIPMENT: On or about April 6, 1953, by the Farmer's Cheese Co., from Watertown, Wis.

PRODUCT: 15 boxes, each containing 125 pounds, of brick cheese at Chicago, Ill.

LABEL, IN PART: "Wisconsin State Brand 44-A Made from pasteurized Milk."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Made from pasteurized Milk" was false and misleading as applied to the article, which was made from milk which had not been pasteurized; and, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for brick cheese since the milk used in the manufacture of the article had not been pasteurized and the article had not been cured at a temperature of not less than 35° F. for a period of not less than 60 days. The definition and standard provides that if the milk used in the manufacture of brick cheese is not pasteurized, the cheese so made is cured at a temperature of not less than 35° F. for a period of not less than 60 days.

DISPOSITION: July 7, 1953. The Farmer's Cheese Co., 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 brought into compliance with the law, under the supervision of the Department of Health, Education, and Welfare.

FISH AND SHELLFISH

20419. Adulteration of frozen fish. U. S. v. 1,852 Pounds, etc. (F. D. C. No. 34610. Sample Nos. 50041-L, 50042-L.)

LIBEL FILED: January 23, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about December 19, 22, 23, and 26, 1952, from Panama City, Cocoa, and West Palm Beach, Fla., and South Haven, Mich.

PRODUCT: Frozen fish. 1,852 pounds of fish in 64 slabs and 835 pounds of fish in 23 slabs at New York, N. Y.

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

DISPOSITION: August 24, 1953. Default decree of condemnation and destruction.

20420. Adulteration of frozen catfish filets. U. S. v. 99 Cases * * *. (F. D. C. No. 34750. Sample No. 62269-L.)

LIBEL FILED: March 13, 1953, Western District of Tennessee.