

**LABEL IN PART:** (Box) "Illinois Cheddar Cheese Plant 526."

**LIBELED:** 12-3-53, W. Dist. Wis.

**CHARGE:** 402 (a) (3)—when shipped it contained insect fragments and manure fragments and was prepared from filthy milk.

**DISPOSITION:** On 1-18-54, Cissna Park Cheese Co., claimant, filed an answer denying that the cheese was adulterated as alleged. Interrogatories then were served upon the claimant by the Government and subsequently were answered. Thereafter, the Government filed a motion for a summary judgment on the ground that there was no genuine issue as to any material fact. The court, on 10-4-55, granted the Government's motion and ordered that the article be condemned. The cheese was denatured for use as fish bait.

**22314. Washed curd cheese.** (F. D. C. No. 37230. S. Nos. 88-285 L, 88-300 L, 88-309 L.)

**INFORMATION FILED:** 3-22-55, N. Dist. N. Y., against Ontario Cheese Factory Association, an unincorporated association, Smithville, N. Y.

**ALLEGED VIOLATION:** On 5-22-53, the defendant gave to a firm engaged in the business of shipping cheese in interstate commerce a guaranty to the effect that cheese shipped by it under the guaranty would not be adulterated or misbranded. Between 6-24-54 and 8-6-54, the defendant caused to be shipped to the holder of the guaranty, at Carthage, N. Y., quantities of washed curd cheese which were adulterated.

**CHARGE:** 402 (a) (3)—contained manure fragments, cow hairs, insect fragments, and rodent hair fragments, and was prepared from filth-contaminated milk; and, 402 (a) (4)—prepared under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 5-3-55. \$250 fine.

**22315. Grated cheese.** (F. D. C. No. 37244. S. Nos. 88-103 L, 88-110 L.)

**INFORMATION FILED:** 2-18-55, E. Dist. Pa., against M. Wildstein & Sons, a partnership, t/a New Yorker Cheese Co., Philadelphia, Pa.

**SHIPPED:** Between 7-16-54 and 7-30-54, from Pennsylvania to Maryland and Virginia.

**LABEL IN PART:** (Jar) "New Yorker Grated Cheese Parmesan Style \* \* \* Net Wt. 2 Oz. Packed by New Yorker Cheese Co. Phila., Pa." and "Stuart Crest Brand Parmesan Style Grated Cheese \* \* \* 14 Oz. Net. Distributed by W. M. Gary Grocery Co., Inc. Richmond, Va."

**CHARGE:** 402 (a) (3)—contained insects and insect parts; and, 402 (a) (4)—prepared under insanitary conditions.

**PLEA:** Nolo contendere.

**DISPOSITION:** 4-28-55. \$300 fine.

#### MISCELLANEOUS DAIRY PRODUCTS

**22316. Ice cream.** (F. D. C. No. 37224. S. No. 63-739 L.)

**INFORMATION FILED:** 2-7-55, S. Dist. Ill., against Miller-Hygrade Ice Cream Co., a corporation, Quincy, Ill., and Elmer H. Miller, president.