

presence of a filthy substance in such articles and the preparation and packing of these articles under insanitary conditions.

DISPOSITION: On 3-29-46, Marion Creameries, Inc., and the individual defendants having agreed to the entry of a temporary injunction, the court entered an order enjoining, during the pendency of the action and until further order of the court, Marion Creameries, Inc., and the individual defendants from introducing and delivering for introduction into interstate commerce any food product adulterated within the meaning of 402 (a) (3) and (4).

In the case of Kingan & Co., Inc., an answer was filed stating that it no longer was operating in the State of Kentucky, having legally withdrawn from this State about 1-1-46. On 10-14-46, the court entered an order dismissing the injunction proceedings as to Kingan & Co., Inc., for lack of jurisdiction.

On 8-18-47, the action against Marion Creameries, Inc., and the individual defendants was dismissed without prejudice.

23415. Butter and cheese products. (Inj. No. 119.)

COMPLAINT FOR INJUNCTION FILED: 11-21-45, N. Dist. Iowa, against Wapsie Valley Creamery, Inc., Independence, Iowa, and Clarence A. Nielsen, vice president and general manager of the corporation.

CHARGE: The complaint alleged that the defendants, from on or about the month of June 1945 to the time of filing the complaint, had been preparing and processing butter and cheese products under grossly insanitary conditions at the corporation's plant at Independence, Iowa; that the articles so prepared and processed contained manure, spiders, ants, weevils, miscellaneous insect parts, rodent hairs, straw, plant material, sand, rust, cow hairs, and mud, and were adulterated within the meaning of 402 (a) (3) and (4); and that the articles had been and still were being shipped in interstate commerce by the defendants.

DISPOSITION: On 2-8-46, with the consent of the parties, the court entered an order providing for continuance of the case until the December 1946 term of court on condition that the defendants should not ship or cause to be shipped in interstate commerce prior to such term of court any cheese or other milk products manufactured at the defendants' Independence plant.

On 12-16-46, the parties having stipulated that the corporation's milk supply used in the manufacture of cheese and other milk products was then in substantial compliance with the law, and the court having been advised that the sanitary conditions of the defendants' plant was then of such character that no serious objection thereto was made by the Government, an order was entered permitting the defendant to ship its products in interstate commerce if in compliance with the law and continuing the injunction proceedings until 4-21-47 for consideration on whether such proceedings should be dismissed.

On 4-21-47, the court entered an order dismissing the proceedings since it appeared that the defendants had greatly improved the sanitary conditions of their plant and were operating in compliance with the law.

23416. Cheese and milk products. (Inj. No. 79.)

COMPLAINT FOR INJUNCTION FILED: 1-10-45, N. Dist. Iowa, against August Lindner, t/a Odebolt Dairy, Odebolt, Iowa.

CHARGE: The complaint alleged that the defendant, at the time of filing the complaint, had been engaged in the business of preparing, processing, and manufacturing cheese and other milk products under grossly insanitary conditions, which products were offered for shipment in interstate commerce at various