25052. Butter. (F.D.C. No. 40828. S. No. 25-676 P.)

QUANTITY: 64 64-lb. boxes at Faribault, Minn.

SHIPPED: 7-30-58, from West Point, Nebr., by West Point Creamery.

LABEL IN PART: (Box) "Creamery Butter West Point Creamery Distributors & Mfgrs. 402 West Point Nebr."

LIBELED: 8-8-58, Dist. Minn.

CHARGE: 402(b)(2)—when shipped, a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: 9-4-58. Consent—claimed by West Point Creamery and reworked.

CHEESE

25053. Cheddar cheese. (F.D.C. No. 41169. S. Nos. 63-534 M, 73-086 M.)

INFORMATION FILED: 8-8-58, Dist. Nebr., against North Loup Cooperative Cheese Co., a corporation, North Loup, Nebr., and Victor H. King, manager.

ALLEGED VIOLATION: On 1-25-57, the defendants gave to a firm engaged in the business of shipping cheese in interstate commerce a guaranty to the effect that cheese shipped by them under the guaranty would not be adulterated or misbranded.

On 7-25-57, the defendants caused to be shipped to the holder of the guaranty, at Omaha, Nebr., a quantity of cheddar cheese which was adulterated.

CHARGE: 402(a)(3)—contained manure fragments, and filth-contaminated milk was used in the preparation of the article; and 402(a)(4)—prepared under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 9-25-58. Corporation—$2,000 fine, plus costs; individual—$100 fine.

25054. Baker's cheese. (F.D.C. No. 41992. S. No. 26-465 P.)

QUANTITY: 138 30-lb. boxes, 12 15-lb. tins, and 84 5-lb. bags at Chicago, Ill.

SHIPPED: 7-31-58, from Sigourney, Iowa, by Iowa's Dairyland Products, Inc.

LABEL IN PART: (Box) "Nichols Badger Brand Bakers Cheese (Cottage Cheese) * * * Dist. by Meinerz Creamery, Milwaukee, Wisconsin 209 [or "210" or "211"]."

RESULTS OF INVESTIGATION: The tins and bags were repackaged by the consignee from the cheese coded 210 and 211.

LIBELED: 8-18-58, N. Dist. Ill.

CHARGE: 402(a)(3)—contained manure fragments, rodent hair fragments, insects, and insect fragments and 402(a)(4)—prepared under insanitary conditions.

DISPOSITION: 9-16-58. Default—destruction.

EGGS

25055. Frozen eggs. (F.D.C. No. 40614. S. Nos. 6-373 M, 82-767/8 M.)

INFORMATION FILED: 7-11-58, S. Dist. Ind., against Ballas Egg Products, Inc., Greensburg, Ind., and Maurice Humpert, plant manager.

SHIPPED: Between 3-6-57 and 7-2-57, from Indiana to Ohio.