

tained less than 4 percent by weight of milk fat; in addition, a portion of the product contained more than 80 percent of moisture. Further misbranding (1 shipment), Section 403 (g) (2), the product purported and was represented to be creamed cottage cheese, and its label failed to bear the name of the food specified in the definition and standard of identity, i. e., creamed cottage cheese; Section 403 (e) (1), it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and, Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: November 30, 1948. A plea of guilty having been entered, a fine of \$200 was imposed.

13786. Adulteration of cheese. U. S. v. 40 Cartons * * *. (F. D. C. No. 25169. Sample No. 23304-K.)

LIBEL FILED: July 16, 1948, Southern District of Texas.

ALLEGED SHIPMENT: On or about July 24, 1947, from Cumberland, Wis.

PRODUCT: 40 cartons, each containing 2 22-pound daisies, of cheese at Houston, Tex.

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 mold. (The article was adulterated while held for sale after shipment in interstate commerce.)

DISPOSITION: August 31, 1948. Default decree of condemnation. The product was ordered delivered to public institutions, for use as animal feed.

13787. Adulteration of Cheddar cheese. U. S. v. 98 Boxes * * *. (F. D. C. No. 23352. Sample Nos. 17099-H, 17100-H.)

LIBEL FILED: July 10, 1947, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 26, 1947, by Supreme Dairy Products Co., Macomb, Ill.

PRODUCT: 98 70-pound Cheddars and 32 boxes, each box containing 4 12-pound longhorns, of Cheddar cheese at Curwensville, Pa.

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 manure, insect fragments, and feather fragments, and by reason of the use of filthy milk in its preparation.

DISPOSITION: March 12, 1948: The sole intervener having withdrawn his answer, judgment of condemnation was entered and the product was ordered destroyed.

13788. Adulteration and misbranding of Cheddar cheese. U. S. v. 1,154 Cheeses. (F. D. C. No. 25422. Sample Nos. 9307-K, 9308-K.)

LIBEL FILED: August 31, 1948, Northern District of New York.

ALLEGED SHIPMENT: On or about July 17 and 23, 1948, by the C. Economou Cheese Corp., from Hinesburg, Vt.

PRODUCT: 1,154 Cheddar cheeses, each weighing approximately 40 pounds, at Heuvelton, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing excessive moisture and deficient in milk fat had been substituted in whole or in part for Cheddar cheese.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for Cheddar cheese since it contained more moisture and its solids contained less milk fat than provided by the regulations.

DISPOSITION: January 7, 1949. The C. Economou Cheese Corp., claimant, having admitted the allegations of the libel, judgment of condemnation was entered ordering the product released under bond to be reworked and reprocessed under the supervision of the Food and Drug Administration.

13789. Adulteration of feta cheese. U. S. v. 146 Cases (and 3 other seizure actions). (F. D. C. Nos. 18640, 18642, 18643, 18687. Sample Nos. 8071-H to 8073-H, incl., 8329-H, 8330-H.)

LIBELS FILED: On December 12, 13, and 19, 1945, Eastern and Southern Districts of New York.

ALLEGED SHIPMENT: On or about October 2 and November 6, 19, and 21, 1945, by C. Economou, from Hinesburg, Vt.

PRODUCT: Feta cheese. 146 unlabeled kegs and 365 kegs, each containing approximately 150 pounds, at Brooklyn, N. Y.; and 25 unlabeled kegs and 1,094 cartons, each carton containing 12 16-ounce jars, at New York, N. Y.

LABEL, IN PART: (Jars) "Greek Feta Cheese Imported type Pan Brand."

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 insect fragments, rodent hairs, and nondescript dirt; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: On June 26, 1946, Christ Staikos, claimant, agent for the owner, C. Economou, petitioned for the entry of an order removing the proceeding instituted at Brooklyn to the Southern District of New York, and for consolidation with the proceedings instituted in that district. On July 1, 1946, the petition was granted.

On May 19 and August 11, 1947, the claimant having withdrawn his claim for the New York lots, the court ordered the lots condemned and delivered to a Federal institution, for use as stock feed. On or about October 6, 1947, counsel for the claimant filed a motion for the entry of a decree of condemnation, containing a provision for release for export of the goods seized at Brooklyn. The Government opposed such disposition of the product, and the motion was subsequently withdrawn. On February 10, 1948, the cheese seized at Brooklyn was condemned and ordered disposed of for use as salvage fat.

MISCELLANEOUS DAIRY PRODUCTS

13790. Adulteration of cream. U. S. v. 1 Can * * * (and 1 other seizure action). (F. D. C. Nos. 25370, 25374. Sample Nos. 28535-K, 28542-K.)

LIBELS FILED: June 14 and 17, 1948, District of Colorado.

ALLEGED SHIPMENT: On or about June 7, 1948, by Oelke Produce, from Hoxie, Kans., and on or about June 12, 1948, by Lew Waldman, from Grinnell, Kans.

PRODUCT: 2 10-gallon cans of cream at Denver, Colo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, decomposed, and putrid animal substance by reason of the presence of excessive nondescript dirt, a beetle, and an insect leg in the cream shipped from Hoxie, Kans., and excessive nondescript dirt,