

**PRODUCT:** 7 68-pound cartons of butter at San Francisco, Calif.

**VIOLATION CHARGED:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** June 7, 1944. Nye & Nissen, Inc., San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond, to be brought into compliance with the law under the supervision of the Food and Drug Administration. The product was subsequently reworked.

**6899. Adulteration of butter. U. S. v. David D. Sorensen (Sorensen Creameries). Plea of guilty. Fine of \$1000, and defendant placed on probation for 18 months.** (F. D. C. No. 10613. Sample Nos. 8527-F, 45379-F.)

**INDICTMENT RETURNED:** June 8, 1944, District of South Dakota, against David D. Sorensen, trading as Sorensen Creameries, Big Stone City, S. Dak.

**ALLEGED SHIPMENT:** From on or about July 8 to July 12, 1943, from the State of South Dakota into the State of New York.

**LABEL, IN PART:** "Butter Breakstone Bros., Inc. Distributors New York, N. Y."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** July 27, 1944. A plea of guilty was entered, and the defendant was fined \$1000 and placed on probation for a period of 18 months.

#### CHEESE

**6900. Adulteration of cheese. U. S. v. 93 Boxes of Cheddar Cheese. Default decree of condemnation and destruction.** (F. D. C. No. 13279. Sample No. 40474-F.)

**LIBEL FILED:** August 19, 1944, Western District of Michigan.

**ALLEGED SHIPMENT:** On or about August 1, 1944, by the Dairy Products Marketing Association, from Platteville, Wis.

**PRODUCT:** 93 boxes of Cheddar cheese at Muskegon, Mich.

**LABEL, IN PART:** "2780 No. 2 Iowa 78¾ June 27A (or other weights and dates)."

**VIOLATION CHARGED:** 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 and manure fragments.

**DISPOSITION:** September 7, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6901. Adulteration of Italian type cheese. U. S. v. 15 Barrels of Italian Type Cheese. Default decree of condemnation and destruction.** (F. D. C. No. 11735. Sample No. 57586-F.)

**LIBEL FILED:** February 2, 1944, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about December 28, 1943, by Gloria Cheese Co., from Bangor, Maine.

**PRODUCT:** 15 barrels of Italian type cheese at Brooklyn, N. Y.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance since it contained rodent hair fragments and was partially decomposed.

**DISPOSITION:** April 3, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6902. Adulteration and misbranding of Cheddar cheese. U. S. v. 25 Daisies of Cheddar Cheese. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 13291. Sample No. 68526-F.)

**LIBEL FILED:** August 21, 1944, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about July 12 and 25, 1944, by Swift & Co., Marion Ind.

**PRODUCT:** 25 daisies, each containing 21 pounds, of Cheddar cheese at Cincinnati, Ohio.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), an article deficient in milk fat had been substituted in whole or in part for Cheddar cheese.

Misbranding, Section 403 (g) (1), it purported to be and was represented as Cheddar cheese, a food for which a definition and standard of identity has been prescribed by regulations promulgated pursuant to law, but it failed to conform to such definition and standard since it contained, in its solids, less than 50 percent of milk fat.

**DISPOSITION:** September 13, 1944. Swift & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, to be manufactured into processed cheese under the supervision of the Food and Drug Administration.

**6903. Adulteration and misbranding of Cheddar Cheese. U. S. v. 74 Daisies of Cheddar Cheese. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 13167. Sample Nos. 60988-F, 61517-F.)**

**LIBEL FILED:** August 5, 1944, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about June 1, 1944, by the Tuell Dairy Co., from Columbia, Tenn.

**PRODUCT:** 74 daisies of Cheddar cheese at New Orleans, La.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2), an article deficient in milk fat had been substituted in whole or in part for Cheddar cheese, which the article purported and was represented to be.

Misbranding, Section 403 (e) (1), it was food in package form and failed to bear a label stating the name and place of business of the manufacturer, packer or distributor; and, Section 403 (g) (1), it purported to be and was represented as Cheddar cheese, a food for which a definition and standard of identity has been prescribed by regulations, but it failed to conform to such definition and standard since its solids contained less than 50 percent of milk fat.

**DISPOSITION:** September 2, 1944. The Tuell Dairy Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, to be used in the manufacture of legal process cheese, under the supervision of the Food and Drug Administration.

#### OLEOMARGARINE

**6904. Adulteration of oleomargarine. U. S. v. 201 Cases and 300 Cases of Oleomargarine. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. No. 11967. Sample No. 49651-F.)**

**LIBELS FILED:** March 6, 1944, Western District of New York.

**ALLEGED SHIPMENT:** On or about February 2, 1943, by the Cudahy Packing Co., Wichita, Kans.

**PRODUCT:** 501 cases, each containing 32 1-pound packages, of oleomargarine at Rochester, N. Y.

**LABEL, IN PART:** "Cudahy's Maybelle \* \* \* Oleomargarine."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of rancid oleomargarine.

**DISPOSITION:** July 20, 1944. Wegman's Food Markets, Inc., Rochester, N. Y., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond, to be sold to a rendering plant for use as waste fat under the supervision of the Food and Drug Administration.

**6905. Adulteration and misbranding of oleomargarine. U. S. v. 32 Cases of Oleomargarine. Default decree of condemnation. Product ordered delivered to an Army hospital. (F. D. C. No. 11140. Sample No. 61022-F.)**

**LIBEL FILED:** November 18, 1943, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about October 13, 1943, by the Interstate Cotton Oil Refining Co., from Sherman, Tex.

**PRODUCT:** 32 cases, each containing 12 1-pound cartons, of oleomargarine at New Orleans, La.

**LABEL, IN PART:** (Cartons) "BLUE PLATE \* \* \* Vegetable OLEOMARGARINE. Prepared For Blue Plate Foods, Inc. New Orleans, La."