

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 whole insects, insect fragments, larvae, nondescript dirt, rodent hair, rodent or cat hair, unidentified hair, straw fragments, feather barbules, and metallic particles; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 9, 1946. Pleas of nolo contendere having been entered on behalf of the defendants, the court imposed a total fine of \$150.

10971. Adulteration of cheese. U. S. v. Arno Struve and R. R. Struve (Struve Cheese Factory). Pleas of guilty. Fine of \$250 against each defendant. (F. D. C. No. 19511. Sample Nos. 26171-H, 26172-H.)

INFORMATION FILED: November 25, 1946, Northern District of Texas, against Arno Struve and R. R. Struve, trading as Struve Cheese Factory, Abernathy, Tex.

ALLEGED VIOLATION: On or about April 23, 1945, the defendants gave Swift & Co. a guaranty providing that any food shipped or delivered thereafter by the defendants to Swift & Co. would be neither adulterated nor misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act. On or about July 30, 1945, the defendants sold and delivered a quantity of Cheddar cheese to Swift & Co., at Amarillo, Tex., a part of which product was shipped by the latter firm, from the State of Texas into the State of New Mexico.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, hair of dermestid larvae, rodent hair, plant tissue, fibers, nondescript dirt, a whole cockroach, and a beetle; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 25, 1946. A plea of guilty having been entered by both defendants, the court imposed a fine of \$250 against each.

10972. Adulteration of Cheddar cheese. U. S. v. Upper Snake River Valley Dairymen's Association, Inc., Eugene S. Trask, and Harry John Doherty. Pleas of guilty. Fines, \$900 against corporate defendant and \$50 against each individual defendant. (F. D. C. No. 19523. Sample No. 32495-H.)

INFORMATION FILED: April 22, 1946, District of Idaho, against the Upper Snake River Valley Dairymen's Association, Inc., Rexburg, Idaho, Eugene S. Trask, general manager, and Harry John Doherty, plant manager.

ALLEGED SHIPMENT: On or about October 1, 1945, from the State of Idaho into the State of California.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of insect fragments, cat hair, rodent hair, feather barbules, plant tissue, and nondescript dirt; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth and been rendered injurious to health.

DISPOSITION: August 19, 1946. Pleas of guilty having been entered, the court imposed fines of \$450 against the corporate defendant on each of the two counts of the information and \$25 against each individual defendant on each of the two counts.

10973. Adulteration of Cheddar cheese. U. S. v. Valley Cooperative Marketing Association and T. Edward Aycock. Pleas of guilty. Corporation fined \$175; individual, \$25. (F. D. C. No. 19512. Sample No. 25467-H.)

INFORMATION FILED: March 25, 1946, District of Wyoming, against the Valley Cooperative Marketing Association, a corporation, Mountain View, Wyo., and T. Edward Aycock, manager.

ALLEGED SHIPMENT: On or about September 12, 1945, from the State of Wyoming into the State of Utah.

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 rodent hair fragments, nondescript dirt, fibers, and a feather barbule; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 15, 1946. Pleas of guilty having been entered on behalf of the defendants, fines of \$175 and \$25 were imposed against the corporate defendant and the individual defendant, respectively.

10974. Adulteration of Cheddar cheese. U. S. v. Fred Reinman (Farmersburg Cheese Factory). Plea of guilty. Fine, \$350 and costs. (F. D. C. No. 19543. Sample No. 19519-H.)

INFORMATION FILED: May 16, 1946, Northern District of Iowa, against Fred Reinman, trading as Farmersburg Cheese Factory, Farmersburg, Iowa.

ALLEGED SHIPMENT: On or about November 1, 1945, from the State of Iowa into the State of Wisconsin.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of a fruit fly, fragments of house flies and other insects, rodent hair fragments, feather fragments, cow hairs, and manure particles; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 11, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$350 and costs.

10975. Adulteration of cream cheese with nuts. U. S. v. Meyer Zausner. Plea of guilty. Fine, \$500. (F. D. C. No. 19540. Sample No. 5789-H.)

INFORMATION FILED: October 3, 1946, Eastern District of Pennsylvania, against Meyer Zausner, New Holland, Pa.

ALLEGED SHIPMENT: On or about September 20, 1945, from the State of Pennsylvania into the State of New York.

LABEL, IN PART: "Made for Chock-Full-O-Nuts."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy and decomposed substance by reason of the presence of larvae, insect parts, rodent hair fragments, and insect-infested and moldy walnuts.

DISPOSITION: November 12, 1946. A plea of guilty having been entered by the defendant, the court imposed a fine of \$500.

10976. Adulteration of process cheese. U. S. v. Frank Pilley and Sons, Inc., Frank E. Pilley, Jr., and Newton M. Seibert. Plea of guilty on behalf of the corporation; fine, \$750 and costs. Plea of nolo contendere by the individuals; fine, \$15 each. (F. D. C. No. 19541. Sample Nos. 18698-H to 18700-H, incl.)

INFORMATION FILED: May 15, 1946, Northern District of Iowa, against Frank Pilley and Sons, Inc., Sioux City, Iowa, and Frank E. Pilley, Jr., and Newton M. Seibert, president and sales manager, respectively, of the corporation.

ALLEGED SHIPMENT: On or about September 7, 1945, from the State of Iowa into the State of South Dakota.

LABEL, IN PART: "Pilley's Pasteurized Process Cheese."

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

DISPOSITION: On May 28, 1946, a plea of guilty having been entered on behalf of the corporation, it was fined \$750 and costs. On September 17, 1946, pleas of nolo contendere having been entered by the individuals, they were each fined \$15.

10977. Adulteration of Cheddar cheese. U. S. v. 96 Boxes * * *. (F. D. C. No. 19690. Sample No. 8765-H.)

LIBEL FILED: April 22, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about March 12, 1946, by Schmitt Brothers and Walther, from Platteville, Wis.

PRODUCT: 96 75-pound boxes of Cheddar cheese at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta, rodent hairs, insect fragments, and manure fragments; and, Section