

infested with mice and insects. The Cranesville plant was in a dirty and messy condition, and several recently made cheeses were rodent-gnawed. The manufacturing rooms were used also by the cheesemaker as his living quarters. The exterior insanitary conditions included an open outside toilet, and a pig sty which was located nearby; and spring water probably polluted from the toilet and pig sty was being used. Many other insanitary conditions were noted, including the acceptance and use of milk that was unfit for food purposes. The corporation's warehouses at Cuba, N. Y., were infested with rats, with definite contamination and spoilage of the products in certain instances.

PRAYER OF COMPLAINT: That the defendants be restrained from shipping adulterated cheese and cheese products in interstate commerce.

DISPOSITION: September 19, 1946. The defendants having failed to answer or otherwise plead to the complaint, judgment was entered ordering that the defendants be perpetually enjoined from shipping adulterated cheese and cheese products in interstate commerce.

11373. Adulteration of Cheddar cheese. U. S. v. Lake Como Co-operative Cheese Co. Plea of guilty. Fine, \$700. (F. D. C. No. 20436. Sample No. 19623-H.)

INFORMATION FILED: August 9, 1946, District of Minnesota, against the Lake Como Co-operative Cheese Co., a corporation, Hokah, Minn.

ALLEGED SHIPMENT: On or about November 29, 1945, from the State of Minnesota into the State of Wisconsin.

LABEL, IN PART: "Minnesota Colored Twins."

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

DISPOSITION: February 7, 1947. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$700.

11374. Adulteration of cheese. U. S. v. 425 Pounds * * * (and 2 other seizure actions). (F. D. C. Nos. 20688, 20689, 21089, 21204. Sample Nos. 182-H, 38590-H, 38591-H, 64327-H.)

LIBELS FILED: September 5 and 30 and October 2, 1946, Northern District of Illinois, Southern District of New York, and Southern District of Florida.

ALLEGED SHIPMENT: Between the approximate dates of July 2 and August 17, 1946, by the Rocky Mountain Cheese Mfg. Co., from Trinidad, Colo.

PRODUCT: Cheese. 425 pounds at Chicago, Ill., 600 pounds at New York, N. Y., and 72 pounds at Tampa, Fla. Examination showed that the Chicago lot contained maggots, that the New York lot contained flies, maggots, and rodent excreta, and that the Tampa lot was moldy.

LABEL, IN PART: "Mizethra," or "Feta Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy or decomposed substances.

DISPOSITION: October 25 and 29, 1946, and January 24, 1947. No claimant having appeared, judgments of condemnation were entered. It was ordered that the Food and Drug Administration be permitted to withdraw any portion of the New York lot that it required, and that the remainder be destroyed. The Chicago lot was ordered destroyed; however, on February 27, 1947, an amended order was entered permitting delivery of this lot to a public institution, where the good portion was to be used for human food and the unfit portion was to be disposed of as animal feed. The Tampa lot was ordered destroyed.

11375. Adulteration of Gouda cheese. U. S. v. 2,728 Boxes * * *. (F. D. C. No. 20687. Sample No. 45629-H.)

LIBEL FILED: August 29, 1946, Northern District of California.

ALLEGED SHIPMENT: On or about July 16, 1946, by the Land O'Lakes Creameries, Inc., from Minneapolis, Minn.

PRODUCT: 2,728 13-pound boxes of Gouda cheese at San Francisco, Calif.

LABEL, IN PART: "Cavquid Gouda Cheese—Land O'Lakes Creameries, Inc., Curers and Distributors."

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 therein of mites, rodent excreta, and insect eggs; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 18, 1946. The B. J. Holmes Sales Co., San Francisco, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered. It was ordered that the product be released under bond, conditioned that it be inspected, sampled, and analyzed under the supervision of the Food and Drug Administration; that any portion of the product found to be in conformity with the law be released for sale; and that any portion found to be unfit for human consumption be segregated, denatured, and disposed of for use as animal feed.

11376. Adulteration of Swiss cheese. U. S. v. 52 Wheels, etc. (F. D. C. No. 20641. Sample Nos. 45689-H, 45691-H.)

LABEL FILED: August 14, 1946, Northern District of California.

ALLEGED SHIPMENT: On or about July 13, 1946, by the Star Valley Swiss Cheese Assoc., from Thayne and Freedom, Wyo.

PRODUCT: 52 wheels and 30 wheels of Swiss cheese at San Francisco, Calif.

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 pellets; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 16, 1946. The shipper, claimant, having consented to the entry of a decree, 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.

11377. Adulteration of Swiss cheese. U. S. v. 105 Wheels, etc. (F. D. C. No. 20657. Sample Nos. 44337-H, 44338-H.)

LABEL FILED: August 16, 1946, Southern District of California.

ALLEGED SHIPMENT: On or about July 17, 1946, by the Upper Snake River Valley Dairymen's Assoc., from Rexburg, Idaho.

PRODUCT: Swiss cheese. 105 wheels labeled "Afton" and 68 wheels labeled "FR" at Los Angeles, Calif. Each cheese weighed about 180 pounds.

LABEL, IN PART: "Afton," or "FR."

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 pellets; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 19, 1946. The Star Valley Swiss Cheese Co., Freedom, Wyo., and the Star Valley Swiss Cheese Assoc., Afton, Wyo., having appeared as claimants for the respective lots and having consented to the entry of a decree, judgment of condemnation was entered. The product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

CREAM AND MILK

11378. Adulteration of cream. U. S. v. 9 10-Gallon Cans * * * (and 4 other seizure actions). (F. D. C. Nos. 19190, 19191, 19193, 22888. Sample Nos. 26890-H, 26893-H, 26895-H, 47699-H.)

LABEL FILED: October 26, 1945, and February 26, 1947, District of Colorado.

ALLEGED SHIPMENT: On or about October 20 and 21, 1945, and February 20, 1947, by E. M. Cords, from Potter, Nebr.; B. F. Smiley, from Broadwater, Nebr.; Clyde Arnold, from Broken Bow, Nebr.; Klein Produce, from Goodland, Kans.; and the Plettnr Brothers, from Friend, Nebr.

PRODUCT: 26 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. (Examination showed that the cream contained variously, insect eggs, insect parts, house flies, rodent hairs, hairs similar to rodent and cat hairs, feather barbs, material resembling manure, and mold spores.)