

12066. Adulteration of Swiss cheese. U. S. v. Upper Star Valley Swiss Cheese Association, Riley Hoopes, and Frank Brog. Pleas of guilty. Association fined \$20; each individual fined \$10. (F. D. C. No. 22070. Sample Nos. 43855-H, 44337-H.)

INFORMATION FILED: May 14, 1947, District of Wyoming, against the Upper Star Valley Swiss Cheese Association, a corporation, Afton, Wyo., and Riley Hoopes, president, and Frank Brog, plant manager.

ALLEGED SHIPMENT: On or about July 17 and 24, 1946, from the State of Wyoming into the State of California.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent excreta pellets, rodent hairs, mites, an insect antenna, and nondescript dirt; 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 9, 1947. Pleas of guilty having been entered, the court imposed a fine of \$10 on each of the two counts of the information against the association, and a fine of \$5 on each of the two counts against each individual.

12067. Adulteration of cheese cocktail spread. U. S. v. The Borden Company. Plea of nolo contendere. Fine, \$400. (F. D. C. No. 22095. Sample Nos. 59903-H, 60836-H.)

INFORMATION FILED: On or about July 25, 1947, Western District of New York, against the Borden Co., a corporation, Buffalo, N. Y.

ALLEGED SHIPMENT: On or about September 6 and 10, 1946, from the State of New York into the State of Pennsylvania.

LABEL, IN PART: "Borden's Smokey Cheese Cocktail Spread."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insects, insect fragments, rodent hair fragments, plant tissues, steel 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: August 14, 1947. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$200 on each count, a total fine of \$400.

12068. Adulteration and misbranding of Colby cheeses. U. S. v. 45 * * *. (F. D. C. No. 22648. Sample No. 19399-H.)

LABEL FILED: March 20, 1947, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about January 6, 1947, by the Sanitary Creamery Co., from Montgomery, Minn.

PRODUCT: 45 Colby cheeses at Thorp, Wis.

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 Colby cheese.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for Colby cheese since it contained more than 40 percent of moisture and its solids contained less than 50 percent of milk fat.

DISPOSITION: April 22, 1947. The Sanitary Creamery Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be reworked into a processed food for human consumption, under the supervision of the Federal Security Agency.

On October 6, 1947, pursuant to agreement of the parties, an order was entered providing for disposition of the product for use other than human consumption, under the supervision of the Federal Security Agency.

12069. Adulteration of Edam cheese. U. S. v. 800 Pounds * * *. (F. D. C. No. 22680. Sample Nos. 90835-H, 90843-H.)

LABEL FILED: March 7, 1947, District of New Jersey.

ALLEGED SHIPMENT: On or about February 6, 1947. Transported by Alex Abramson and Sons, Inc., from D. Schneider Wholesale Dairy Products, Brooklyn, N. Y., and from the Harry N. Ziskin Co., Inc., New York, N. Y.

PRODUCT: 800 pounds of Edam cheese at Newark, N. J.