

DISPOSITION: October 21, 1947. Default decree of condemnation and destruction.

12494. Adulteration of brick cheese. U. S. v. 5 Cases * * * (F. D. C. No. 23448. Sample No. 94181-H.)

LIBEL FILED: September 5, 1947, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about July 31, 1947, by C. F. Franke, from Ashippun, Wis.

PRODUCT: 5 cases, each containing 10 5-pound loaves, of brick cheese at St. Louis, Mo.

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 maggots.

DISPOSITION: October 3, 1947. Default decree of condemnation and destruction.

12495. Adulteration of fresh curd cheese. U. S. v. 5 Bundles * * * (F. D. C. No. 23852. Sample No. 6605-K.)

LIBEL FILED: October 20, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about October 9, 1947, by the Delaware Valley Creamery Co., Inc., from Cambridge Springs, Pa.

PRODUCT: 5 50-pound bundles of fresh curd cheese at Yonkers, 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, flies, and other insects, together with the use of uncleaned containers; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 6, 1947. Default decree of condemnation and destruction.

12496. Adulteration and misbranding of grated cheese. U. S. v. 49 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 21994, 22659, 22662. Sample Nos. 64631-H, 64648-H, 74446-H, 74447-H.)

LIBELS FILED: December 23, 1946, and March 21, 1947, District of Connecticut and District of Rhode Island.

ALLEGED SHIPMENT: Between the approximate dates of September 25, 1946, and January 30, 1947, by the Quality Grated Cheese Co., from Roxbury and Boston, Mass.

PRODUCT: 49 cases at New Haven, Conn., and 20 cases at Providence, R. I., each case containing 24 jars of grated cheese.

LABEL, IN PART: (Jars) "Quality Brand Roman Style Grated Cheese Made from Partially Skim Milk Net Wgt. 2½ Ozs. When Packed."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance high in lactose had been substituted in whole or in part for grated cheese, which the product was represented to be.

Misbranding, Section 403 (a), the label designation "Roman Style Grated Cheese" was false and misleading, since the article contained a milk product other than cheese; and (New Haven lot), Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The product contained from 12 to 17 percent lactose, indicating the presence of a milk product other than cheese. One lot was short-weight.)

DISPOSITION: February 21 and May 27, 1947. No claimant having appeared, judgments of condemnation were entered. The New Haven lot was ordered delivered to charitable institutions, and the remaining lots were ordered destroyed.

MISCELLANEOUS DAIRY PRODUCTS

12497. Adulteration of curd and adulteration and misbranding of cheese. U. S. v. Parley Lambert (Sweet Clover Creamery). Plea of guilty. Fine, \$150. (F. D. C. No. 20939. Sample Nos. 43834-H, 45835-H, 47490-H.)

INFORMATION FILED: October 8, 1946, District of Utah, against Parley Lambert, trading as the Sweet Clover Creamery, Mt. Emmons, Utah.

ALLEGED SHIPMENT: On or about March 25 and May 27, 1946, from the State of Utah into the State of California.