

than 50 percent of milk fat; and, Section 403 (i) (2), the product in the remaining shipment was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

DISPOSITION: February 24, 1949. A plea of guilty having been entered, the defendant was fined \$900.

**14386. Adulteration of Cheddar cheese. U. S. v. National Cheese Co. Plea of guilty. Fine of \$1,000 and costs. (F. D. C. No. 25598. Sample Nos. 43121-K to 43123-K, incl.)**

INFORMATION FILED: December 16, 1948, Southern District of Illinois, against the National Cheese Co., a corporation, Aledo, Ill.

ALLEGED VIOLATION: The defendant was charged with giving a false guaranty to the Kraft Foods Co. of Wisconsin, Freeport, Ill., on or about November 27, 1947. It provided that all cheese comprising a shipment or delivery made by the defendant to the latter firm would be neither adulterated nor misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act.

On or about June 22 and 29, 1948, the defendant delivered to the Kraft Foods Co. of Wisconsin quantities of Cheddar cheese that was adulterated. The Kraft Foods Co. of Wisconsin prior and subsequent to June 22 and 29, 1948, was engaged in the business of introducing and delivering for introduction into interstate commerce quantities of cheese supplied by the defendant.

LABEL, IN PART: "Illinois Cheddar Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insect fragments, manure fragments, and plant fragments; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 15, 1949. A plea of guilty having been entered, the court imposed a fine of \$1,000 and costs.

**14387. Adulteration of Colby cheese. U. S. v. The Fostoria Union Dairy Co. Plea of guilty. Fine, \$100 and costs. (F. D. C. No. 26295. Sample No. 15421-K.)**

INFORMATION FILED: January 3, 1949, Northern District of Ohio, against the Fostoria Union Dairy Co., a corporation, Fostoria, Ohio.

ALLEGED SHIPMENT: On or about August 12, 1948, from the State of Ohio into the State of Michigan.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments, including fragments of flies, and manure fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 13, 1949. A plea of guilty having been entered, the defendant was fined \$100 and costs.

**14388. Adulteration of Swiss cheese. U. S. v. John Grossniklaus (Alpine Cheese Factory). Plea of guilty. Fine, \$250 and costs. (F. D. C. No. 26298. Sample No. 6905-K.)**

INFORMATION FILED: December 31, 1948, Northern District of Ohio, against John Grossniklaus, trading as the Alpine Cheese Factory, Wilmot, Ohio.

**ALLEGED SHIPMENT:** On or about April 1, 1948, from the State of Ohio into the State of Pennsylvania.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments, rodent hair fragments, and rodent excreta fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** January 21, 1949. A plea of guilty having been entered, the defendant was fined \$250 and costs.

**14389. Adulteration and misbranding of creamed cottage cheese. U. S. v. Cloverleaf Dairy. Plea of nolo contendere. Fine, \$100. (F. D. C. No. 25571. Sample Nos. 28799-K, 28981-K.)**

**INFORMATION FILED:** September 9, 1948, District of Utah, against the Cloverleaf Dairy, a corporation, Salt Lake City, Utah.

**ALLEGED SHIPMENT:** On or about May 13 and 14, 1948, from the State of Utah into the State of Nevada.

**LABEL, IN PART:** "Cloverleaf Creamed Cottage Cheese 16 Oz."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for creamed cottage cheese since it contained less than 4 percent by weight of milk fat, the minimum milk fat permitted by the standard for creamed cottage cheese.

Further misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (the article was short-weight); and, Section 403 (e) (1), it failed to bear a label containing the place of business of the manufacturer, packer, or distributor.

**DISPOSITION:** October 1, 1948. A plea of nolo contendere having been entered, the court imposed a fine of \$100.

#### MISCELLANEOUS DAIRY PRODUCTS

**14390. Adulteration of ice cream, ice cream mix, and butter. U. S. v. Akron Creamery Co. and Otto C. Larsen. Pleas of guilty. Fine of \$450 and costs against company and \$30 against individual. (F. D. C. No. 25336. Sample Nos. 24350-K to 24352-K, incl., 24403-K to 24405-K, incl.)**

**INFORMATION FILED:** November 12, 1948, Northern District of Iowa, against the Akron Creamery Co., a partnership, Akron, Iowa, and Otto C. Larsen, a partner.

**ALLEGED SHIPMENT:** On or about September 11 and 13, 1947, and June 5, 1948, from the State of Iowa into the States of South Dakota and Nebraska.

**LABEL, IN PART:** "Sunnyside Creamery Butter," "Chocolate Chip," "Sunnyside Ice Cream Vanilla [or "Raspberry Marvel"]," "Quality Ice Cream Chocolate."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of insect fragments, manure fragments, rodent hairs, a cow hair, a feather fragment, insects, insect eggs, and moldy fruit pulp; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

Further adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the butter; and, Section 402 (b) (2), a product