

CHEESE

17070. Adulteration and misbranding of grated cheese. U. S. v. 72 Boxes
* * *. (F. D. C. No. 30357. Sample No. 81698-K.)

LIBEL FILED: On or about January 3, 1951, District of New Jersey.

ALLEGED SHIPMENT: On or about December 11, 1950, by the Rialto Food Products Co., from Philadelphia, Pa.

PRODUCT: 72 boxes, each containing 12 1¼-ounce canisters, of grated cheese at Camden, N. J.

LABEL, IN PART: "Rialto Italian Style Grated Cheese."

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

Misbranding, Section 403 (a), the label designation "Italian Style Grated Cheese" was false and misleading since the article contained a milk product other than cheese.

DISPOSITION: January 30, 1951. Default decree of condemnation. The court ordered that the product be delivered to a charitable organization, after destruction of the labels.

MISCELLANEOUS DAIRY PRODUCTS

17071. Alleged misbranding of whipping cream. U. S. v. The Borden Co. and Charles H. Young. Pleas of not guilty. Tried to the court and jury. Verdict of not guilty. (F. D. C. No. 29629. Samples Nos. 49747-K, 49778-K.)

INFORMATION FILED: November 10, 1950, Northern District of Texas, against the Borden Co., a corporation, Amarillo, Tex., and Charles H. Young, plant manager.

ALLEGED SHIPMENT: On or about April 19 and May 16, 1950, from the State of Texas into the State of Oklahoma.

LABEL, IN PART: "Borden's Whipping Cream The Borden Co. Amarillo, Texas."

NATURE OF CHARGE: Misbranding, Section 403(g)(1), it was alleged that the product failed to conform to the definition and standard of identity for whipping cream in that it contained less than 30 percent of milk fat, as required by the standard.

DISPOSITION: February 9, 1951. Pleas of not guilty having been entered, the case was tried before the court and jury, which returned a verdict of not guilty.

17072. Adulteration and misbranding of oleomargarine. U. S. v. Swift & Co. Plea of nolo contendere. Fine, \$1,002. (F. D. C. No. 29652. Sample Nos. 73536-K, 79440-K.)

INFORMATION FILED: November 17, 1950, District of New Jersey, against Swift & Co., Jersey City, N. J.

ALLEGED SHIPMENT: On or about March 27 and April 3, 1950, from the State of New Jersey into the States of Massachusetts and Connecticut.