

19064. Adulteration of butter. U. S. v. 12 Boxes * * *. (F. D. C. No. 33158. Sample No. 35198-L.)

LIBEL FILED: February 15, 1952, Northern District of New York.

ALLEGED SHIPMENT: On or about February 6, 1952, by the Nevis Creamery, from Nevis, Minn.

PRODUCT: 12 boxes, each containing approximately 64 pounds, of butter at Troy, New York.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: April 4, 1952. First National Stores, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be reworked, under the supervision of the Federal Security Agency.

19065. Adulteration and misbranding of butter. U. S. v. 32 Cases, etc. (F. D. C. No. 33355. Sample Nos. 7931-L, 7932-L.)

LIBEL FILED: June 27, 1952, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 23, 1952, by Isaly's Creamery Products, Inc., from Ft. Wayne, Ind.

PRODUCT: 32 30-pound cases and 71 16-pound cases of butter at Pittsburgh, Pa.

LABEL, IN PART: (Carton, 71 cases) "Isaly's Butter 1 lb. net wt."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding, Section 403 (e) (2), (71 cases) the packages did not bear an accurate statement of the quantity of the contents since they contained less than the labeled "1 lb. net."

DISPOSITION: July 1, 1952. Isaly's Creamery Products, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. Rechurning and repackaging of the butter resulted in the salvage of 2,032 pounds.

CHEESE

19066. Adulteration and misbranding of pasteurized process American cheese. U. S. v. 19 Cases * * *. (F. D. C. No. 33184. Sample No. 9353-L.)

LIBEL FILED: April 24, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about March 5, 1952, by the Armour Creameries, from Portage, Wis.

PRODUCT: 19 cases, each containing 18 8-ounce packages, of pasteurized process American cheese at Chicago, Ill.

LABEL, IN PART: "Armour Cloverbloom Pasteurized Process American Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance, dehydroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of this food and could have been avoided by good manufacturing practice.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for pasteurized process American cheese since it contained dehydroacetic acid.

DISPOSITION: June 17, 1952. Default decree of condemnation and destruction.

19067. Adulteration and misbranding of pasteurized process Gruyere cheese and pasteurized process American cheese. U. S. v. 10 Cases, etc. (F. D. C. No. 32014. Sample Nos. 38491-L, 38492-L.)

LIBEL FILED: November 15, 1951, Eastern District of New York.

ALLEGED SHIPMENT: On or about October 17, 1951, by the Windmill Cheese Co., from Oley, Pa.

PRODUCT: 10 cases, each containing 6 5-pound packages, of pasteurized process Gruyere cheese, and 200 cases, each containing 6 5-pound packages, of pasteurized process American cheese, at Brooklyn, N. Y.

LABEL, IN PART: "Swiss Chalet Gruyere Type Swiss Process Cheese" and "Jason 'Cheeses that Pleases' American Pasteurized."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), (Gruyere cheese) a valuable constituent, milk fat, had been in part omitted from the product; and, Section 402 (b) (2), (American cheese) a product containing more than 40 percent moisture and the solids of which contained less than 50 percent milk fat had been substituted for pasteurized process American cheese.

Misbranding, Section 403 (g) (1), the products failed to conform to the definitions and standards of identity for pasteurized process Gruyere cheese and pasteurized process American cheese, respectively, in that the fat content of the pasteurized process Gruyere cheese was less than 45 percent; the moisture content of the pasteurized process American cheese was more than 40 percent, its solids contained less than 50 percent of milk fat, and its label failed to bear the name of the food specified in the standard, namely, "Pasteurized Process American Cheese."

DISPOSITION: January 7, 1952. The Windmill Cheese Co., Oley, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be reprocessed so that they would comply with the law, under the supervision of the Federal Security Agency. The Gruyere cheese was destroyed, and the American cheese was reworked to comply with the law.

EGGS

19068. Adulteration of frozen eggs. U. S. v. 1,600 Cans * * *. (F. D. C. No. 33131. Sample No. 41829-L.)

LIBEL FILED: May 22, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about April 26, 1952, by the Landsberger Creamery & Produce Co., from Sisseton, S. Dak.

PRODUCT: 1,600 30-pound cans of frozen eggs at San Francisco, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: June 3, 1952. William H. Oldach, Philadelphia, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for the