

DAIRY PRODUCTS**BUTTER**

21368. Adulteration of butter. U. S. v. Isaly Dairy Co. Plea of guilty. Fine, \$100. (F. D. C. No. 35810. Sample Nos. 79075-L, 79123-L.)

INFORMATION FILED: April 1, 1954, Northern District of Ohio, against the Isaly Dairy Co., a corporation, Youngstown, Ohio.

ALLEGED SHIPMENT: On or about August 17 and November 5, 1953, from the State of Ohio into the State of Pennsylvania.

LABEL, IN PART: (Wrapper) "Isaly's Butter One Pound Net Weight Manufactured By The Isaly Dairy Co., Youngstown, Ohio."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2), a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: April 30, 1954. The defendant having entered a plea of guilty, the court fined it \$100.

21369. Adulteration of butter. U. S. v. 22 Boxes (1,408 pounds) * * *. (F. D. C. No. 35892. Sample No. 83578-L.)

LIBEL FILED: January 23, 1954, District of Minnesota.

ALLEGED SHIPMENT: On or about January 6, 1954, by the Granville Creamery & Locker Plant, from Granville, N. Dak.

PRODUCT: 22 64-pound boxes of butter at Moorhead, Minn.

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 30, 1954. The Granville Creamery & Lockers, Granville, N. Dak., 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 reworking under the supervision of the Department of Health, Education, and Welfare.

CHEESE

21370. Adulteration of cheese. U. S. v. Chester A. Neil (Belleville Cheese Factory). Plea of guilty. Fine, \$200. (F. D. C. No. 35196. Sample Nos. 55663-L, 55678-L.)

INFORMATION FILED: January 26, 1954, Northern District of New York, against Chester A. Neil, trading as the Belleville Cheese Factory, Hermon, N. Y.

ALLEGED VIOLATION: On or about April 12, 1946, the defendant caused to be given to a firm engaged in the business of shipping cheese in interstate commerce a guaranty to the effect that cheese delivered by the defendant under the guaranty would not be adulterated.

On or about May 25 and June 15, 1953, the defendant caused to be shipped to the holder of the guaranty, at Carthage, N. Y., quantities of cheese which were adulterated.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of manure fragments and mites and by reason of the use of filthy milk in the preparation of the article.