

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.

DISPOSITION: June 3, 1954. The defendant having entered a plea of guilty, the court fined him \$200.

21371. Adulteration of colby cheese. U. S. v. North Loup Cooperative Cheese Co.
Plea of nolo contendere. Fine of \$400, plus costs. (F. D. C. No. 35568.
Sample No. 61951-L.)

INFORMATION FILED: April 23, 1954, District of Nebraska, against the North Loup Cooperative Cheese Co., a corporation, North Loup, Nebr.

ALLEGED VIOLATION: On or about June 15, 1953, the defendant gave to a firm engaged in the business of shipping cheese in interstate commerce a guaranty to the effect that all cheese delivered by the defendant under the guaranty would be neither adulterated nor misbranded.

On or about September 2, 1953, the defendant caused to be shipped to the holder of the guaranty, at Omaha, Nebr., a quantity of colby cheese which was adulterated.

LABEL, IN PART: "Colby No. 1 Nebraska Cheese Made From Pasteurized Whole Milk."

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

DISPOSITION: June 25, 1954. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$400, plus costs.

EGGS

21372. Adulteration of eggs. U. S. v. 78 Cans, etc. (F. D. C. No. 36278. Sample Nos. 56152-L, 56169-L, 56170-L.)

LABEL FILED: January 7, 1954, Northern District of New York.

ALLEGED SHIPMENT: On or about November 11 and December 3, 1953, from Baltimore, Md.

PRODUCT: 95 30-pound cans of eggs at Binghamton, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 6, 1954. Default decree of condemnation and destruction.

21373. Adulteration and misbranding of dried egg yolks. U. S. v. 3 Drums * * *. (F. D. C. No. 36410. Sample No. 76113-L.)

LABEL FILED: March 9, 1954, District of Oregon.

ALLEGED SHIPMENT: On or about December 8, 1953, by the Goldhill Food Corp., from Brooklyn, N. Y.

PRODUCT: 3 200-pound drums of dried egg yolks at Portland, Oreg.

LABEL, IN PART: "200# Drum of Gold-Tex Yolk Blend."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of nonfat dry milk solids and egg yolks had been substituted in whole or in part for dried egg yolks; and, Section 402 (b) (4), nonfat dry milk solids had been