

SHIPPED: 4-23-62, from Bismarck, N. Dak., by Capital Milk Products Co.

LABEL IN PART: "622631 64# Net Butter ARMOUR CREAMERIES Distributors Gen'l Office—Chicago, Ill."

LIBELED: 5-8-62, Dist. Minn.

CHARGE: 402(b)(2)—when shipped, a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: 6-18-62. Consent—claimed by Capital Milk Products Co., and released under bond for reprocessing.

### CHEESE

**28143. Cold pack cheese spread.** (F.D.C. No. 46406. S. No. 83-658 R.)

QUANTITY: 300 cases, 12 12-oz. jars each, at New York, N.Y.

SHIPPED: 6-26-61, from Hilbert, Wis., by Calumet Cheese Co., Inc.

LABEL IN PART: (Jar) "Wispride Cold Pack Cheese Spread Ingredients: \* \* \* Max. Moisture—47% Min. Fat—20% \* \* \* Mfg. by Calumet Cheese Co., Inc. Hilbert, Wisconsin."

RESULTS OF INVESTIGATION: Examination showed that the article failed to conform to the definition and standard of identity for cold pack cheese food in that it contained more than 44 percent of moisture.

LIBELED: 8-25-61, S. Dist. N.Y.

CHARGE: 403(g)(1)—when shipped, the article failed to conform to the definition and standard of identity for cold pack cheese food.

DISPOSITION: 11-2-61. Consent—claimed by Calumet Cheese Co., Inc., and relabeled.

**28144. Cheese.** (F.D.C. No. 47251. S. No. 33-227 T.)

QUANTITY: 31 cases, each containing one 60-lb. block of cheese, at Platteville, Wis.

SHIPPED: 2-14-62, from Eureka, S. Dak., by Eureka Cheese Factory.

LABEL IN PART: (Case) "Cheddar Cheese S. Dakota Shipper No. 1 Vat A Feb. 8, 1962."

LIBELED: 3-19-62, W. Dist. Wis.

CHARGE: 402(a)(3)—article was made from filthy milk.

DISPOSITION: 5-1-62. Default—denatured and sold for fish bait.

**28145. Gruyere process cheese.** (F.D.C. No. 47490. S. No. 12-271 T.)

QUANTITY: 50 cases, 72 pkgs. each, containing 6 1-oz. wedges each, at Milwaukee, Wis.

SHIPPED: 9-22-61, from Lochau, Austria.

LIBELED: 5-14-62, E. Dist. Wis.

CHARGE: 402(a)(3)—contained decomposed cheese while held for sale.

DISPOSITION: 6-20-62. Default—destruction.

**28146. Swiss cheese.** (F.D.C. No. 47469. S. Nos. 22-837 T., 23-252 T.)

QUANTITY: 286 cases, 12 6-oz. pkgs. each, at Denver, Colo.

SHIPPED: 4-16-62 and 4-23-62, from Thayne, Wyo., by Star Valley Swiss Cheese Co.

LABEL IN PART: (Pkg.) "Dutch Mill Brand Swiss Cheese \* \* \* 6 Ounces Net Wgt. Distributed by Safeway Stores, Inc. \* \* \* Oakland, Calif."

RESULTS OF INVESTIGATION: Examination showed that the article was sliced swiss cheese in a clear cellophane bag on which the distributor's name and address were printed in white ink which did not contrast with the cheese in the background, making it inconspicuous.

LIBELED: 4-27-62, Dist. Colo.

CHARGE: 403(f)—when shipped, the name and address of the distributor was not prominently placed on the article with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 6-19-62. Consent—claimed by Safeway Stores, Inc., and released under bond for relabeling.

28147. Grated cheese. (F.D.C. No. 47252. S. No. 38-963 T.)

QUANTITY: 32 drums and 43 cases, 24 jars each, at New Orleans, La., in possession of Uddo & Taormina of Louisiana, Inc.

SHIPPED: 12-6-61, from Campbellsport, Wis., by Stella Cheese Co.

LABEL IN PART: (Drum) "Grated Romano Cheese 50 lbs. net wt."; (jar) "Net wt. 2 oz. Aged More Than 60 Days Progresso Imported Grated Cheese Made of Partially Skimmed Milk Packed by Uddo & Taormina of La., Inc., New Orleans, La."

RESULTS OF INVESTIGATION: The article in the jars had been repacked by the dealer after receipt at New Orleans, La.

LIBELED: 3-26-62, E. Dist. La.

CHARGE: 403(e) (1)—when shipped, the article in the drums failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; 403(a)—while held for sale, the name "Imported Grated Cheese" on the jars was false and misleading as applied to a cheese of domestic origin; and 403(g) (1)—while held for sale, the article failed to bear the name provided by the definition and standard of identity for "Romano" cheese.

DISPOSITION: 5-17-62. Consent—claimed by Uddo & Taormina of Louisiana, Inc., and relabeled.

### MILK

28148. Evaporated milk. (F.D.C. No. 45875. S. No. 13-215 R.)

QUANTITY: 1,200 cases, 48 14½-oz. cans each, at Chicago, Ill.

SHIPPED: 2-3-61, from Germantown, Wis., by Gehls Guernsey Farms.

LABEL IN PART: (Can) "14-½ Ozs. Avoir. Net \* \* \* Armour Cloverbloom Evaporated Milk Homogenized—Vitamin D Content Increased Armour and Company Distributors \* \* \* Chicago, Ill. \* \* \* Armour Evaporated Milk is fortified by the addition of Vitamin D concentrate in the form of activated ergosterol and contains not less than 25 U.S.P. units per fluid ounce. \* \* \* 400 U.S.P. units per quart when mixed with an equal volume of water."

LIBELED: 5-8-61, N. Dist. Ill.

CHARGE: 402(b) (1)—when shipped, the valuable constituent, vitamin D, had been in part omitted or abstracted from the article; and 403(a)—the label statements "contain not less than 25 U.S.P. units per fluid ounce," and "will