

tered and the product was ordered released under bond to be repacked and relabeled under the supervision of the Food and Drug Administration.

#### CHEESE AND MILK

**6475. Adulteration of white Cheddar cheese. U. S. v. 61 Boxes of White Cheddar Cheese. Default decree of forfeiture. Product ordered sold for use other than human consumption. (F. D. C. No. 7953. Sample No. 7205-F.)**

**LIBEL FILED:** July 21, 1942, Western District of Wisconsin.

**ALLEGED SHIPMENT:** On or about June 22, 1942, by the Manchester Cheese Co., Manchester, Iowa.

**PRODUCT:** 61 boxes of white Cheddar cheese at Platteville, Wis.

Examination showed that the product contained rodent hair, human hair, insect fragments, and dirt particles.

**LABEL, IN PART:** (Box) "Iowa \* \* \* White Cheddar."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** On September 24, 1942, no claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed. On August 12, 1943, an amended decree was entered ordering that the product be sold for use other than human consumption.

**6476. Adulteration of Cheddar cheese. U. S. v. 97 Cheddar Cheeses and 110 Cheddar Cheeses. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 12104. Sample Nos. 72504-F, 72505-F.)**

**LIBEL FILED:** March 30, 1944, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about February 12 and March 3, 1944, from Maben, Miss., and Hazleton, Iowa.

**PRODUCT:** 207 75-pound Cheddar cheeses at McKenzie, Tenn., in possession of the Southern Gold Cheese Co.

The product was stored under insanitary conditions after shipment. Examination of samples showed that the product contained rodent excreta, rodent hairs, and nondescript dirt.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** May 5, 1944. The Southern Gold Cheese Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be trimmed away and destroyed or rendered into grease for the war effort, under the supervision of an employee of the Federal Security Agency. On June 15, 1944, an amended decree was entered, ordering that the trimmings be denatured for use as hog feed, under the supervision of a representative of the Federal Security Agency.

**6477. Adulteration of grated cheese. U. S. v. 7 Cases of Grated Cheese (and 7 other seizure actions against grated cheese). Default decrees of condemnation and destruction. (F. D. C. Nos. 11634, 11753, 11818, 11857, 11968, 12092, 12323, 12384, 12497. Sample Nos. 30371-F, 60504-F, 60511-F, 60512-F, 60518-F, 60519-F, 60541-F, 60611-F, 60612-F, 60624-F to 60626-F, incl., 67470-F.)**

**LIBELS FILED:** Between January 12 and June 3, 1944, District of Nevada, Northern District of California, and Northern District of Ohio.

**ALLEGED SHIPMENT:** From on or about November 26, 1943, to April 8, 1944, by the Ehrat Cheese Co., from Chicago, Ill.

**PRODUCT:** Various cartons and cases containing the following amounts of grated cheese: 5,556 1½-ounce packages, 192 4-ounce packages, and 108 3-ounce packages at San Francisco, Calif.; 1,584 1½-ounce cans and 288 2-ounce cans at Reno, Nev.; 1,008 2-ounce cans and 1,152 1½-ounce cans at Sacramento, Calif.; 348 1½-ounce envelopes at Oakland, Calif.; and 576 1-pound cans at Cleveland, Ohio.

**LABEL, IN PART:** (Cans, envelopes, or cartons) "Riviera Imported Type Grated Italian Parmesan Cheese," "Riviera Brand Grated Parmesan Cheese," or "Circle

**E Sharp Tasty Grated Italian Style [or "Mild Tasty Grated Whole Milk American"] Cheese.**

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of one or more of the following types of filth: Rodent hair fragments, rodent hairs, mites, insect fragments, insects, and worm fragments; and, Section 402 (a) (4), the Cleveland lot had been held (at the Ehrat Cheese Co.) under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** Between April 3 and June 16, 1944, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**6478. Adulteration and misbranding of grated cheese. U. S. v. 11 Cases of Grated Cheese. Default decree of condemnation and destruction. (F. D. C. No. 12113. Sample No. 35353-F.)**

**LABEL FILED:** April 8, 1944, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about February 20, 1944, by H. W. Brown & Co., from Long Branch, N. J.

**PRODUCT:** 11 cases, each containing 12 boxes of 12 1½-ounce canisters each, of grated cheese at Tampa, Fla.

**LABEL, IN PART:** (Canister) "Famous Brand \* \* \* Grated \* \* \* Cheese \* \* \* An All Cheese Product Wm. Faehndrich, Inc., New York, N. Y., "or "Famous Brand Cheese \* \* \* 15% Added Milk Solids."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta and rodent hairs; Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth; Section 402 (b) (2), grated cheese containing about 35 percent added "nonfat dry milk solids" or "defatted milk solids" (dried skim milk) had been substituted for "Grated Cheese An All Cheese Product," or "Grated Cheese 15% Added Milk Solids," which the article was represented to be; and, Section 402 (b) (4), "nonfat dry milk solids" or "defatted milk solids" had been added thereto or mixed and packed therewith so as to reduce its quality or strength.

Misbranding, Section 403 (a), the statements on the labeling of some canisters, "Grated \* \* \* Cheese \* \* \* An All Cheese Product," and on other canisters, "Grated \* \* \* Cheese \* \* \* 15% Added Milk Solids," were false and misleading as applied to the article; and, Section 403 (i) (2) (cans labeled "An All Cheese Product"), this portion of the product was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient, since the presence of "nonfat dry milk solids" or "defatted milk solids" was not declared.

**DISPOSITION:** May 20, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6479. Adulteration of Italian cheese. U. S. v. The Cudahy Packing Co. Plea of guilty. Fine \$2,000 and costs. (F. D. C. No. 10596. Sample Nos. 20195-F, 20406-F to 20410-F, incl.)**

**INFORMATION FILED:** On November 18, 1943, in the Southern District of Ohio, against the Cudahy Packing Co., a corporation, Washington Court House, Ohio.

**ALLEGED SHIPMENT:** On or about January 27 and February 16, 1943, from the State of Ohio into the State of Rhode Island.

**LABEL, IN PART:** (Cases) "Cudahy's Rex Provoloncini [or "Piccolini," "Salami," "Salami Giganti," "Provolone"] Style Italian Cheese."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of dirt and mold, and rodent-gnawed and worm- and insect-eaten cheese; and, Section 402 (a) (4), it had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** April 24, 1944. The defendant having entered a plea of guilty, a fine of \$2,000 and costs was imposed.

**6480. Misbranding of Limburger cheese. U. S. v. 67 Cases of Limburger Cheese. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 11159. Sample No. 38835-F.)**

**LABEL FILED:** November 24, 1943, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about October 11, 1943, by the Triangle Cheese Co., from Monroe, Wis.