

Section 402 (a) (3), the product consisted in part of a filthy, putrid, or decomposed substance, mold.

**DISPOSITION:** April 2, 1945. The June Dairy Products Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond on condition that a portion be converted into fat for the manufacture of soap and the remainder be brought into compliance with the law, under the supervision of the Food and Drug Administration.

**S362. Adulteration of butter. U. S. v. Quaker City Cooperative Creamery Co. Plea of guilty. Fine, \$300.** (F. D. C. No. 14210. Sample Nos. 50294-F, 50400-F, 75607-F.)

**INFORMATION FILED:** February 23, 1945, Southern District of Ohio, against the Quaker City Cooperative Creamery Co., a corporation, Quaker City, Ohio.

**ALLEGED SHIPMENT:** Between the approximate dates of April 21 and May 11, 1944, from the State of Ohio into the State of West Virginia.

**LABEL, IN PART:** "Quaker City Butter \* \* \* Cherry-Burrell Corporation Chicago."

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

**DISPOSITION:** April 24, 1945. A plea of guilty having been entered, the defendant was fined \$300.

**S363. Adulteration of butter. U. S. v. 50 Cartons (3,200 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 15043. Sample No. 93638-F.)

**LIBEL FILED:** December 18, 1944, Southern District of New York.

**ALLEGED SHIPMENT:** On or about December 6, 1944, by the Hartley Creamery, Hartley, Iowa.

**PRODUCT:** 50 cartons, each containing 64 pounds, of butter at New York, N. Y.

**LABEL, IN PART:** "Butter Distributed by J. O. Marshall Draper-Valley Distributors, Inc. 503 New York, N. Y."

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

**DISPOSITION:** January 9, 1945. The Draper-Valley Distributors, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

**S364. Adulteration of butter. U. S. v. 19 Cartons and 10 Cartons (approximately 1,894 pounds) of Butter. Consent decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 15048, 15105. Sample Nos. 83096-F, 97620-F, 97917-F, 5641-H.)

**LIBELS FILED:** November 18, 1944, and January 10, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about October 30 and December 14, 1944, by the Hardy North Nielson Creamery, Thief River Falls, Minn.

**PRODUCT:** 19 cartons, each containing approximately 66 pounds, and 10 cartons, each containing approximately 64 pounds, of butter at New York, N. Y.

**LABEL, IN PART:** "Penn Blue Ridge Dairy \* \* \* New York City Butter."

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

**DISPOSITION:** December 12, 1944, and February 9, 1945. The Penn Blue Ridge Dairies, New York, N. Y., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

**S365. Misbranding of butter. U. S. v. 21 Cartons (approximately 672 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond to be relabeled.** (F. D. C. No. 15044. Sample No. 93663-F.)

**LIBEL FILED:** November 28, 1944, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 22, 1944, by Samuel Dunkel, from New York, N. Y.

**PRODUCT:** 21 cartons, each containing approximately 32 pounds, of butter at Scranton, Pa. Examination disclosed that the product was short-weight.

**LABEL, IN PART:** "1 Lb. Net Fancy Creamery Butter Packed By Coburn Farm Products Corp. New York City, N. Y."

**VIOLATION CHARGED:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** December 21, 1944. The Coburn Farm Products Corporation, claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The butter was reprinted into full pound prints.

**8366. Misbranding of butter. U. S. v. 60 Cartons (approximately 1,920 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond for reprinting.** (F. D. C. No. 15041. Sample No. 93626-F.)

**LABEL FILED:** November 25, 1944, District of New Jersey.

**ALLEGED SHIPMENT:** On or about November 18, 1944, by the Ideal Food Products Co., from New York, N. Y.

**PRODUCT:** 60 cartons, each containing approximately 32 pounds, of butter at Newark, N. J. This product was short-weight.

**LABEL, IN PART:** "One Pound Net Creamery Butter Packed By Ben Goldenberg, Inc. New York, N. Y."

**VIOLATION CHARGED:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** November 30, 1944. Irving Erman, trading as the Ideal Food Products Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into conformity with the law, under the supervision of the Food and Drug Administration.

**8367. Misbranding of butter. U. S. v. 111 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 15040. Sample Nos. 93621-F to 93625-F, incl.)

**LABEL FILED:** November 25, 1944, District of New Jersey.

**ALLEGED SHIPMENT:** On or about November 10 and 13, 1944, by J. Rosenblum & Sons, from New York, N. Y.

**PRODUCT:** 111 cartons of butter at Paterson, N. J. This product was short of the declared weight.

**LABEL, IN PART:** "H. Semken & Co., Inc. N. Y. Lakewood Brand Butter One Pound 1 Lb. Net," "Lilly Lake Highest Grade Salt Butter Distributed by Weinberg Butter & Egg Co., Inc. New York, N. Y. One Pound Net," "Selected Creamery Butter 1 Lb. Net Packed by N. Meistrich & Son New York, N. Y.," or "One Pound Net Creamery Butter Packed by Ben Goldenberg, Inc. New York, N. Y."

**VIOLATION CHARGED:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** November 28, 1944. J. Rosenblum & Sons, Paterson, N. J., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

#### CHEESE

**8368. Adulteration of Cheddar cheese. U. S. v. Gold Medal Dairies, Inc. Plea of not guilty. Tried to a jury. Verdict of guilty. Fine, \$1,000.** (F. D. C. No. 11329. Sample Nos. 30784-F, 30785-R.)

**INFORMATION FILED:** February 1, 1944, District of Montana, against the Gold Medal Dairies, Inc., Missoula, Mont.

**ALLEGED SHIPMENT:** On or about April 20 and 22, 1943, from the State of Montana into the State of Washington.

**LABEL, IN PART:** "Gold Medal American Cheddar 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 rodent-gnawed areas and rodent hairs; and, Section 402 (a) (4), the cheese had been prepared, packed, or held under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** April 11, 1944. A plea of not guilty having been entered on behalf of the defendant, the case was tried to a jury which returned a verdict of