

LABEL, IN PART: "N. W. Butter & Egg Co. * * * Minneapolis."

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: May 22, 1946. The Red Lake Falls Creamery, 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.

9880. Adulteration of butter. U. S. v. 34 Cartons (2,176 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19989. Sample No. 19481-H.)

LABEL FILED: On or about May 3, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about April 24, 1946, by the Harvey Cooperative Creamery, Harvey, N. Dak.

PRODUCT: 34 64-pound cartons of butter at New York, N. Y.

LABEL, IN PART: "J. Rosenblum & Sons Distributors 61 Paterson, N. J."

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: May 15, 1946. J. Rosenblum & Sons, 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.

9881. Adulteration of butter. U. S. v. 15 Cartons (900 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19758. Sample No. 63308-H.)

LABEL FILED: May 3, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about April 13, 1946, by the Spring Valley Dairy, Winterset, Iowa.

PRODUCT: 15 60-pound cartons of butter at New York, N. Y.

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: May 14, 1946. J. J. Mullins & Co., New York, N. Y., 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.

9882. Adulteration of butter. U. S. v. 30 Boxes (1,500 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19757. Sample No. 50967-H.)

LABEL FILED: On or about April 25, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about April 16, 1946, by the Bethel Creamery, Bethel, Minn.

PRODUCT: 30 50-pound boxes of butter at New York, N. Y.

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: May 16, 1946. The Lilydale Farms Co., 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.

9883. Adulteration and misbranding of butter. U. S. v. 42 Cartons (approximately 2,100 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 20497. Sample No. 51168-H.)

LABEL FILED: June 3, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about May 25, 1946, by the Northern Produce Co., St. Paul, Minn.

PRODUCT: 42 cartons, each containing approximately 50 1-pound prints, of butter at New York, N. Y.

LABEL, IN PART: "Helfer King Inc. Distributors * * * New York."

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.

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

DISPOSITION: June 26, 1946. Helfer King, Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked. It was further ordered that any unfit portion of the butter be destroyed or denatured for nonedible grease purposes, and that the repackaged product be plainly and conspicuously marked to show the true quantity of the contents, under the supervision of the Food and Drug Administration.

9884. Misbranding of butter. U. S. v. 903 Cartons (approximately 28,896 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 20291. Sample No. 63725-H.)

LIBEL FILED: June 10, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about May 28, 1946, by the Omaha Cold Storage Co., Omaha, Nebr.

PRODUCT: 903 cartons, each purporting to contain 32 pounds, of butter at New York, N. Y. Examination showed that the product was short-weight.

LABEL, IN PART: (Wrapper) "Ocoma Brand Unsalted Butter $\frac{1}{4}$ Lb. Net Distributed by Bellevue Creamery & Produce Company Omaha Nebraska."

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

DISPOSITION: July 19, 1946. The Omaha Cold Storage Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be repackaged to the labeled weight, under the supervision of the Food and Drug Administration.

9885. Misbranding of butter. U. S. v. 7 Cartons (approximately 211 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19983. Sample No. 63702-H.)

LIBEL FILED: April 25, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about April 17, 1946, by the Zenith-Godley Co., Inc., from New York, N. Y.

PRODUCT: 6 cartons, each containing 32 prints, and 1 carton, containing 19 prints, of butter at Jersey City, N. J. Examination disclosed that the product was short-weight.

LABEL, IN PART: (Prints) "One Pound Net Cremoland Brand Sweet Cream Butter."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: June 4, 1946. The Zenith-Godley Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reprinting under the supervision of the Federal Security Agency.

CHEESE

9886. Adulteration and misbranding of grated cheese. U. S. v. Armada Food Products Co., and Guido P. Marciano. Pleas of nolo contendere. Fine, \$50 and costs. (F. D. C. No. 17774. Sample Nos. 10229-H, 10230-H.)

INFORMATION FILED: January 29, 1946, Northern District of Illinois, against the Armada Food Products Co., a partnership, Chicago, Ill., and Guido P. Marciano, a member of the partnership.

ALLEGED SHIPMENT: On or about February 12, 1945, from the State of Illinois into the State of Ohio.

LABEL, IN PART: "Armada Tasty Italian Type Sharp Grated Cheese [or "American Type Mild Grated Cheese"]."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), mixtures of cheese, soy bean meal, salt, and defatted milk solids had been substituted for "Italian Type Sharp Cheese" and "American type Mild Grated Cheese," which the products purported and were represented to be; and, Section 402 (b) (4), soy bean meal, salt, and defatted milk solids had been mixed and packed with the products so as to increase their bulk and weight and reduce their quality.

Misbranding, Section 403 (a), the label statements, "Italian Type Sharp Grated Cheese," "This Sharp Italian Cheese Is Especially Selected For Your Protection," "American Type Mild Grated Cheese," and "This Mild American Cheese Is Especially Selected For Your Protection," were false and misleading.

DISPOSITION: June 11, 1946. Pleas of nolo contendere having been entered, the defendants were fined \$50, plus costs.