

parts; and, Section 402 (a) (4), (New York lot) it had been prepared under insanitary conditions whereby it may have become contaminated with filth. **DISPOSITION:** October 17 and November 5, 1945. No claimant having appeared, judgments of condemnation were entered and the New York lot was ordered delivered to a Federal institution for use as livestock feed, and the Boston lot was ordered destroyed.

10123. Adulteration of cheese paste. U. S. v. 2 Cases and 2 Barrels of Cheese Paste. Default decrees of condemnation and destruction. (F. D. C. Nos. 17307, 17352. Sample Nos. 11192-H, 12301-H.)

LIBELS FILED: August 25 and September 10, 1945, District of Massachusetts.

ALLEGED SHIPMENT: On or about August 1 and 22, 1945, by the Lakeside Creamery, from Craftsbury and Craftsbury Common, Vt.

PRODUCT: 2 125-pound cases, and 2 barrels, each containing 163 pounds and 166 pounds, respectively, of cheese paste at Boston, Mass.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent and other mammalian hairs, insects, insect fragments, and a fly; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 5, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

MISCELLANEOUS DAIRY PRODUCTS

10124. Adulteration and misbranding of condensed buttermilk. U. S. v. 70 Barrels of Condensed Buttermilk. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16637. Sample No. 3471-H.)

LIBEL FILED: June 22, 1945, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about March 24, 1945, by the Nashville Buttermilk Co., Inc., from Fayetteville, Tenn.

PRODUCT: 70 478-pound barrels of condensed buttermilk at Norfolk, Va. Examination showed that the product contained not more than 23.14 percent total solids, 4.06 percent protein, 0.29 percent fat, and 1.98 percent starch.

LABEL, IN PART: "Manufactured For G. Gray Simpson, Norfolk, Va. Big S Brand Condensed Buttermilk."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), starch had been added to the article and mixed and packed with it so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (a), the label statements, "Condensed Buttermilk Minimum Analysis Protein 10% Fat 2% * * * 1% Starch Added," were false and misleading as applied to the article which contained 1.98 percent added starch and less than the declared amounts of protein, fat, and total solids; and, Section 403 (b), the article was offered for sale under the name of another food.

DISPOSITION: July 24, 1945. G. Gray Simpson, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

10125. Adulteration and misbranding of condensed buttermilk. U. S. v. 60 Barrels of Condensed Buttermilk. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16281. Sample No. 4609-H.)

LIBEL FILED: May 21, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about February 24, 1945, by Herbert K. Clofine, from Nashville, Tenn.

PRODUCT: 60 barrels, each containing 530 pounds, of condensed buttermilk at Flemington, N. J.

LABEL, IN PART: "Condensed Buttermilk for Animal and Poultry Feed * * *. Made by condensing Liquid Creamery Buttermilk Guaranteed Analysis Protein 10%."