

DISPOSITION: September 20, 1949. Default decree of condemnation and destruction.

## DAIRY PRODUCTS

### BUTTER

15081. Adulteration of butter. U. S. v. 45 Cases \* \* \*. (F. D. C. No. 26678. Sample No. 15568-K.)

LIBEL FILED: November 24, 1948, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about October 25, 1948, by United Dairies, Inc., from George, Iowa.

PRODUCT: 45 cases, each containing 50 1-pound prints, of butter at Detroit, Mich.

LABEL, IN PART: "United Dairies Salt Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect heads, insect fragments, and rodent hair fragments, and the fact that it was prepared from filthy cream.

DISPOSITION: February 11, 1949. The sole intervener having withdrawn its answer, judgment of condemnation was entered and the court ordered that the product be delivered to a Federal institution, for use as animal feed.

15082. Adulteration of butter. U. S. v. 283 Cartons (18,112 pounds) \* \* \*. (F. D. C. No. 26444. Sample Nos. 11405-K, 11406-K.)

LIBEL FILED: On or about December 3, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about November 1, 1948, by Peter Fox Sons Co., from Chicago, Ill.

PRODUCT: 283 cartons, each containing approximately 64 pounds, of butter at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, putrid, or decomposed substance. (The product contained whole insects, insect fragments, rodent hair fragments, and manure.) Further adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: September 15, 1949. Peter Fox Sons Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be converted into fat for soap manufacturing purposes, under the supervision of the Food and Drug Administration.

15083. Adulteration of butter. U. S. v. 11 Boxes (704 pounds) \* \* \*. (F. D. C. No. 27653. Sample No. 44814-K.)

LIBEL FILED: April 21, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about April 12, 1949, by H. C. Christians, from Elba, Minn.

PRODUCT: 11 64-pound boxes of butter at Chicago, Ill.

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 2, 1949. H. C. Christians Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and

the product was ordered released under bond for reworking under the supervision of the Federal Security Agency.

### MISCELLANEOUS DAIRY PRODUCTS

**15084. Adulteration of ice cream. U. S. v. Texas Dairy & Produce Co. Plea of nolo contendere. Fine, \$1,500. (F. D. C. No. 25310. Sample Nos. 28992-K, 28993-K, 29443-K.)**

**INFORMATION FILED:** November 8, 1948, Northern District of Texas, against the Texas Dairy & Produce Co., a corporation, Childress, Texas.

**ALLEGED SHIPMENT:** On or about June 1 and 19, 1948, from the State of Texas into the State of Oklahoma.

**LABEL, IN PART:** "Gate City Super Creamed Ice Cream."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of an insect leg fragment, an insect body part, insect fragments, feather barbules, rodent hair, a moth scale, and fibers resembling carton fibers; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** April 18, 1949. A plea of nolo contendere having been entered, a fine of \$1,500 was imposed.

**15085. Adulteration of Swiss cheese. U. S. v. 5 Wheels \* \* \*. (F. D. C. No. 24650. Sample No. 6905-K.)**

**LABEL FILED:** May 25, 1948, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about April 1, 1948, by the Alpine Cheese Co., from Wilmot, Ohio.

**PRODUCT:** 5 wheels of Swiss cheese weighing a total of approximately 960 pounds at McKeesport, Pa.

**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 mites, rodent hair fragments, and rodent excreta; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** July 8, 1949. Default decree of condemnation and destruction.

### FISH AND SHELLFISH

**15086. Adulteration of frozen perch filets. U. S. v. 135 Packages \* \* \*. (F. D. C. No. 26464. Sample No. 48292-K.)**

**LABEL FILED:** February 7, 1949, District of New Jersey.

**ALLEGED SHIPMENT:** On or about January 11, 1949, by the Booth Fisheries Corp., from Boston, Mass.

**PRODUCT:** 135 1-pound packages of frozen perch filets at Trenton, N. J.

**LABEL, IN PART:** "Famous Booth Foods Quick Frozen Tastyloins Ocean Perch."

**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 parasites.

**DISPOSITION:** October 24, 1949. Default decree of condemnation and destruction.