

**DISPOSITION:** December 20, 1949. Default decree of condemnation. The court ordered that the product be released to a municipal zoo, for use as animal feed.

**15721. Adulteration of wheat flakes. U. S. v. 250 Cases \* \* \*. (F. D. C. No. 28292. Sample No. 66912-K.)**

**LABEL FILED:** November 15, 1949, District of Maryland.

**ALLEGED SHIPMENT:** On or about October 14, 1949, by Van Brode Milling Co., Inc., from Clinton, Mass.

**PRODUCT:** 250 cases, each containing 100 1-ounce packages, of wheat flakes at Fort George G. Meade, Md.

**LABEL, IN PART:** (Package) "Van Brode Wheat Flakes."

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

**DISPOSITION:** December 20, 1949. Default decree of condemnation. The court ordered that the product be delivered to a city zoo, for animal consumption.

**15722. Adulteration of wheat. U. S. v. 235 Bags \* \* \*. (F. D. C. No. 28293. Sample No. 62131-K.)**

**LABEL FILED:** November 15, 1949, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about May 13, 1949, from Augusta, Mich.

**PRODUCT:** 235 100-pound bags of wheat at Clinton, 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 insects. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** December 27, 1949. Van Brode Milling Co., Inc., Clinton, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be disposed of in compliance with the law, under the supervision of the Food and Drug Administration. The product was denatured.

## DAIRY PRODUCTS

### BUTTER

**15723. Adulteration of butter. U. S. v. The Caldwell Produce Co. and Henry B. Brumbach. Plea of guilty. Fine of \$2,500 against company and fine of \$500 and sentence of 60 days in jail against individual. Individual released after serving 4 days. (F. D. C. No. 28193. Sample Nos 46682-K to 46686-K, incl.)**

**INFORMATION FILED:** December 27, 1949, Southern District of Ohio, against the Caldwell Produce Co., a corporation, Caldwell, Ohio, and Henry B. Brumbach, manager of the corporation's Caldwell plant.

**ALLEGED SHIPMENT:** On or about July 12 and 15, 1949, from the State of Ohio into the State of Pennsylvania.

**LABEL, IN PART:** (Wrapper) "Caldwell Creamery Butter."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insects, insect fragments, moth scales, feather barbules, cow hairs, and rodent hair fragments; and, in addition, it consisted in part of a decomposed substance since it was made from decomposed cream, as evidenced by a high mold mycelia count. Further adulteration, Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** January 20, 1950. Pleas of guilty having been entered, the court imposed a fine of \$2,500 against the company and a fine of \$500 against the individual. The court also sentenced the individual to serve 60 days in jail, but he was released after serving 4 days.

**15724. Adulteration of butter. U. S. v. The Quaker City Co-Operative Creamery Co. and Ira W. Hartley. Pleas of guilty. Fine of \$3,000 against company and \$1,000 against individual. (F. D. C. No. 28163. Sample Nos. 51858-K, 51861-K, 51862-K.)**

**INFORMATION FILED:** October 26, 1949, Southern District of Ohio, against the Quaker City Co-Operative Creamery Co., a corporation, Quaker City, Ohio, and Ira W. Hartley, secretary and treasurer of the corporation.

**ALLEGED SHIPMENT:** On or about July 11, 1949, from the State of Ohio into the State of West Virginia.

**LABEL, IN PART:** "Quaker City Butter."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insects, insect and fly fragments, and rodent hair fragments; Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth; Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2), a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** December 2, 1949. Pleas of guilty having been entered, the court imposed a fine of \$3,000 against the company and a fine of \$1,000 against the individual.

#### MISCELLANEOUS DAIRY PRODUCT

**15725. Adulteration of cheese curd. U. S. v. 11 Bushels \* \* \*. (F. D. C. No. 28271. Sample No. 48621-K.)**

**LIBEL FILED:** November 3, 1949, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about October 21, 1949, by the Vineland Cheese Corp., from Vineland, N. J.

**PRODUCT:** 11 bushels (approximately 220 pounds) of cheese curd at Philadelphia, 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 flies, fly parts, maggots, and rodent hairs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** December 21, 1949. Default decree of condemnation and destruction.