

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, rodent hairs, and manure fragments, and by reason of the use of filthy milk in its preparation.

DISPOSITION: February 9, 1948. The Stella Cheese Co., Campbellsport, Wis., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for salvaging under the supervision of the Food and Drug Administration; 37,354½ pounds of the cheese was salvaged as fit for human consumption.

13092. Misbranding of cheese. U. S. v. 70 Crocks, etc. (F. D. C. No. 24323. Sample No. 9737-K.)

LIBEL FILED: On or about February 2, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about December 23, 1947, by the June Dairy Products Co., Inc., Jersey City, N. J.

PRODUCT: 129 4-ounce, 8-ounce, and 12-ounce crocks of cheese at New York, N. Y.

LABEL, IN PART: "June Dairy Colonial Cheese Bleu [or "Gorgonzola," or "Cheddar"] Cheese."

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, since the label statements "Net Weight 4 Ounces," "Net Weight 8 Ounces," and "Net Weight 12 Ounces" were inaccurate. (Examination showed that the article was short-weight.)

DISPOSITION: March 1, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

EGGS AND EGG PRODUCTS

13093. Adulteration of frozen whole eggs. U. S. v. 648 Cans * * * (and 2 other seizure actions). (F. D. C. Nos. 21319, 22228, 22229. Sample Nos. 57631-H, 57632-H, 63880-H.)

LIBELS FILED: October 16, 1946, and January 30, 1947, Middle District of Pennsylvania and District of Massachusetts.

ALLEGED SHIPMENT: In or about August 15 and December 3, 1946, by the Arthur Redmond Co., Inc., from Terre Haute, Ind., and New York, N. Y.

PRODUCT: 648 cans at Scranton, Pa., 100 cans at New Bedford, Mass., and 120 cans at Boston, Mass., each can containing 30 pounds of frozen whole eggs.

LABEL, IN PART: "Kirby Quality Dublegg Frozen Concentrated Whole Eggs," "Frozen Whole Eggs Packed by Tri-State Produce Co. Sioux City, Iowa," or "Capital Butter & Egg Co., Washington 4, D. C. Whole Eggs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed or putrid substance. (Examination showed the presence of decomposed or putrid eggs.)

DISPOSITION: December 11, 1946, and February 24, 1947. The Arthur Redmond Co., Inc., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

13094. Adulteration of frozen whole eggs. U. S. v. 160 Tins * * *. (F. D. C. No. 24038. Sample No. 37221-K.)

LIBEL FILED: December 23, 1947, Western District of Washington.

ALLEGED SHIPMENT: On or about November 1, 1947, by the Fergus County Creamery, from Lewistown, Mont.

PRODUCT: 160 30-pound tins of frozen whole eggs at Tacoma, Wash.

LABEL, IN PART: "Armour's Cloverbloom Frozen Whole Eggs Armour Creameries Chicago, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed the presence of decomposed eggs.)