

**15115. Misbranding of butter. U. S. v. 10 Cases \* \* \*. (F. D. C. No. 27254. Sample No. 51196-K.)**

**LIBEL FILED:** February 16, 1949, Eastern District of Kentucky.

**ALLEGED SHIPMENT:** On or about February 8, 1949, by the Merchants Creamery Co., from Cincinnati, Ohio.

**PRODUCT:** 10 32-pound cartons of butter at Fort Thomas, Ky.

**LABEL, IN PART:** (Carton) "Jersey Farm Dairy Creamery Butter 1 Lb. Net Weight Distributed by Jersey Farm Dairy, Ft. Thomas, Ky."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the product failed to bear a label containing an accurate statement of the quantity of the contents since the cartons contained less than 1 pound net weight.

**DISPOSITION:** March 7, 1949. The Merchants Creamery Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

### MISCELLANEOUS DAIRY PRODUCTS

**15116. Adulteration and misbranding of cottage cheese and creamed cottage cheese. U. S. v. Chaplin Dairy Products Corp. Plea of nolo contendere. Fine of \$250 on each of first 4 counts of information; fine suspended on remaining 4 counts. (F. D. C. No. 26814. Sample Nos. 6568-K, 6569-K, 8373-K, 8374-K.)**

**INFORMATION FILED:** July 14, 1949, Western District of New York, against the Chaplin Dairy Products Corp., Rochester, N. Y.

**ALLEGED SHIPMENT:** On or about December 27 and 30, 1948, from the State of New York into the State of New Jersey.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of rodent hair fragments and insect fragments; and, Section 402 (a) (4), they had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

Misbranding, Section 403 (g) (1), the cottage cheese and the creamed cottage cheese failed to conform to the definitions and standards of identity in the following respects: The cottage cheese had not been prepared from pasteurized skim milk; one of the three lots of creamed cottage cheese had not been prepared from pasteurized milk ingredients and contained more than 80 percent of moisture; one lot of creamed cottage cheese contained less than 4 percent by weight of milk fat; and the third lot of creamed cottage cheese contained more than 80 percent of moisture.

**DISPOSITION:** September 13, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$250 on each of the first 4 counts and suspended the fine on the remaining 4 counts.

**15117. Adulteration of cream. U. S. v. 1 Can \* \* \* (and 1 other seizure action). (F. D. C. Nos. 27257, 27258. Sample Nos. 49927-K, 49932-K.)**

**LIBELS FILED:** March 28, 1949, and April 6, 1949, District of Colorado.

**ALLEGED SHIPMENT:** On or about March 24, 1949, by Bessie Knight, Benkelman, Nebr., and on or about April 1, 1949, by the Robinson Milling Co., from Wakeeney, Kans.

**PRODUCT:** 2 10-gallon cans of cream at Denver, Colo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, decomposed, and putrid animal substance since it contained insect parts, feather barbules, colored fibers resembling potato peeling, rodent hairs, and nondescript dirt.

**DISPOSITION:** May 3 and 20, 1949. Default decrees of condemnation and destruction.

### FISH AND SHELLFISH

**15118. Adulteration of frozen fish fillets. U. S. v. Booth Fisheries Corp. Plea of guilty. Fine, \$500. (F. D. C. No. 26809. Sample Nos. 25918-K, 48292-K.)**

**INFORMATION FILED:** August 2, 1949, District of Massachusetts, against the Booth Fisheries Corp., Boston, Mass.

**ALLEGED SHIPMENT:** On or about January 11, 1949, from the State of Massachusetts into the States of New Jersey and Minnesota.

**LABEL, IN PART:** "SeaTang Rosefish Fillets" or "Tastyloins Ocean Perch."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in part of filthy substances by reason of the presence of parasites, namely, copepods.

**DISPOSITION:** September 12, 1949. A plea of guilty having been entered, the defendant was fined \$500.

**15119. Adulteration of canned sardines. U. S. v. 119 Cases \* \* \*. (F. D. C. No. 27251. Sample Nos. 43605-K, 43652-K.)**

**LIBEL FILED:** May 19, 1949, Western District of Kentucky.

**ALLEGED SHIPMENT:** On or about July 30, 1948, from New York, N. Y.

**PRODUCT:** 119 cases, each containing 48 15-ounce cans, of sardines at Louisville, Ky.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed sardines. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** June 17, 1949. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use as animal feed.

**15120. Adulteration of frozen tullibeas. U. S. v. 182 boxes \* \* \*. (F. D. C. No. 27238. Sample No. 45105-K.)**

**LIBEL FILED:** May 19, 1949, District of Minnesota.

**ALLEGED SHIPMENT:** On or about April 21, 1949, by M. Bodner, Winnipeg, Manitoba, Canada.

**PRODUCT:** 182 boxes, each containing 110 pounds, of frozen tullibeas at Minneapolis, Minn.

**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 parasitic worms.

**DISPOSITION:** July 13, 1949. Default decree ordering the product denatured for use as animal feed or destroyed.