

16825. Adulteration of Swiss cheese. U. S. v. Dill Cheese Co. and John P. Marty. Pleas of nolo contendere. Fine of \$250 against company and \$50 against individual. (F. D. C. No. 29990. Sample No. 75579-K.)

INFORMATION FILED: November 1, 1950, Western District of Wisconsin, against the Dill Cheese Co., a cooperative association, Browntown, Wis., and John P. Marty, manager.

ALLEGED VIOLATION: On or about April 26, 1950, the defendants gave to a firm engaged in the business of shipping cheese in interstate commerce, a guaranty to the effect that no article shipped or delivered to the holder of the guaranty would be adulterated or misbranded under the law; and on or about May 19, 1950, the defendants caused to be delivered under the guaranty, a quantity of Swiss cheese / was adulterated.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent-gnawed cheese, beetles, dirt, rust, and metal; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 21, 1950. Pleas of nolo contendere having been entered, the court imposed a fine of \$250 against the company and a fine of \$50 against the individual.

EGGS

16826. Adulteration of eggs. U. S. v. Del H. Bryson (The Bryson Egg Co.). Plea of guilty. Fine, \$250. (F. D. C. No. 29619. Sample No. 31697-K.)

INFORMATION FILED: October 19, 1950, District of Utah, against Del H. Bryson, trading as the Bryson Egg Co., Salt Lake City, Utah.

ALLEGED SHIPMENT: Between the approximate dates of April 11 and 17, 1950, from the State of Utah into the State of California.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy, putrid, and decomposed substance, and was otherwise unfit for food by reason of the presence of "inedible bloods," "mixed rots," moldy eggs, and "black rots."

DISPOSITION: October 27, 1950. A plea of guilty having been entered, the court imposed a fine of \$250.

16827. Adulteration and misbranding of frozen eggs. U. S. v. William Parnes (O Street Market). Plea of guilty. Fine, \$450. (F. D. C. No. 29639. Sample Nos. 3397-K, 82302-K to 82305-K, incl.)

INFORMATION FILED: On or about November 17, 1950, District of Columbia, against William Parnes, trading as the O Street Market, Washington, D. C.

ALLEGED VIOLATION: Between the approximate dates of January 13 and July 25, 1950, the defendant introduced into interstate commerce a number of cans of frozen eggs, by delivering them to the Terminal Refrigerating & Warehousing Corp., Washington, D. C., for sale in the District of Columbia, or elsewhere.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of decomposed eggs.

Misbranding, Sections 403 (e) (1) and (2), the container of the product did not bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of

the contents; and, Section 403 (i) (1), the container of the product did not bear a label containing the common or usual name of the product.

DISPOSITION: December 6, 1950. A plea of guilty having been entered, the court fined the defendant \$450.

16828. Adulteration of frozen eggs. U. S. v. 200 Cans * * *. (F. D. C. No. 29693. Sample No. 73756-K.)

LIBEL FILED: August 18, 1950, Eastern District of New York.

ALLEGED SHIPMENT: On or about June 26, 1950, by Randolph & Co. from Guthrie Center, Iowa.

PRODUCT: 200 30-pound cans of frozen eggs at Brooklyn, N. Y.

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 eggs.

DISPOSITION: November 1, 1950. Helfer King, Inc., New York, N. Y., 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 for segregation of the fit from the unfit portion and denaturing of the unfit portion, under the supervision of the Food and Drug Administration. 250 cans of eggs were seized, and of these, 219 cans were found to be good; the remaining 31 cans were denatured.

FISH AND SHELLFISH

16829. Adulteration of frozen flounder fillets. U. S. v. 390 Cartons * * *. (F. D. C. No. 29774. Sample No. 82315-K.)

LIBEL FILED: September 29, 1950, District of Columbia.

ALLEGED SHIPMENT: On or about September 18, 1950, by J. Adams' & Co., Inc., from Boston, Mass.

PRODUCT: 390 5-pound cartons of frozen flounder fillets in the District of Columbia.

LABEL, IN PART: (Carton) "Adams' Selected Frozen Sea Foods * * * Flounder."

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

DISPOSITION: November 29, 1950. Default decree of condemnation. The court ordered that the product be delivered to the National Zoological Park, for use as animal feed.

16830. Adulteration of frozen flounder fillets. U. S. v. 20 Cases * * *. (F. D. C. No. 29780. Sample No. 82033-K.)

LIBEL FILED: October 3, 1950, Eastern District of South Carolina.

ALLEGED SHIPMENT: On or about September 15, 1950, by J. Adams' & Co., Inc., from Boston, Mass.

PRODUCT: 20 cases, each containing 10 5-pound cartons, of frozen flounder fillets at Charleston, S. C.

LABEL, IN PART: "Adams' Selected Frozen Sea Foods."

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 rotten fish.