

since the label statement "Net Weight 1 Pound" was incorrect. (The prints were short of the declared weight.)

**DISPOSITION:** May 16, 1951. A default decree of condemnation was entered, and the court ordered that the product be released to a charitable institution.

### CHEESE

**17561. Adulteration of cheese. U. S. v. 29 Wheels \* \* \*. (F. D. C. No. 30385. Sample No. 92302-K.)**

**LIBEL FILED:** January 23, 1951, District of Connecticut.

**ALLEGED SHIPMENT:** On or about October 30, 1950, by Clarence D. Davis, Inc., from Elmira, N. Y.

**PRODUCT:** 29 wheels, each containing approximately 50 pounds, of cheese at New Haven, Conn.

**LABEL, IN PART:** (Wheels) "New York State Brand Washed Curd Cheese."

**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 fragments of manure, insects, and rodent hair, and by reason of having been manufactured from filthy milk.

**DISPOSITION:** July 11, 1951. Clarence D. Davis, Inc., Elmira, N. Y., having appeared as claimant but subsequently having consented to the destruction of the product, judgment of condemnation was entered and the court ordered that the product be delivered to a public institution, for use as animal feed.

**17562. Adulteration of cheese. U. S. v. 2 Drums, etc. (F. D. C. No. 30947. Sample No. 24146-L.)**

**LIBEL FILED:** May 7, 1951, District of New Jersey.

**ALLEGED SHIPMENT:** On or about April 18, 1951, from Brooklyn, N. Y.

**PRODUCT:** 2 200-pound drums and 1 50-pound drum containing cheese at North Bergen, N. J.

**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 rodent excreta, rodent hairs, and dirt. It was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** August 20, 1951. Default decree of condemnation and destruction.

**17563. Adulteration and misbranding of grated cheese. U. S. v. John Colameco (Rialto Food Products). Plea of nolo contendere. Fine, \$200. (F. D. C. No. 30603. Sample Nos. 81445-K, 81698-K.)**

**INFORMATION FILED:** June 21, 1951, Eastern District of Pennsylvania, against John Colameco, trading as the Rialto Food Products, Philadelphia, Pa.

**ALLEGED SHIPMENT:** On or about July 5 and December 11, 1950, from the State of Pennsylvania into the State of New Jersey.

**LABEL, IN PART:** (Carton) "Italian Style Grated Cheese"; (cylindrical container) "Highest Quality Rialto Food Products Italian Style Grated Cheese Packed by Rialto Food Products Philadelphia, Pa. This product is prepared from domestic and imported cheese with non-fat milk solids added. \* \* \* Contents 1¼ Ozs. or Over."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a substance other than cheese had been substituted in part for grated cheese.