

DISPOSITION: November 17, 1952. The Merchants Creamery Co., Cincinnati, Ohio, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for reworking, under the supervision of the Federal Security Agency.

CHEESE

19513. Misbranding of cheddar cheese. U. S. v. 20 Flats (758 pounds), etc. (F. D. C. No. 33650. Sample Nos. 24941-L, 24942-L.)

LABEL FILED: August 20, 1952, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about July 16, 1952, by the Fisher Cheese Corp., from Wapakoneta, Ohio.

PRODUCT: 1,329½ pounds of cheddar cheese at Harrisburg, Pa.

LABEL, IN PART: "Koneta Kured * * * Cheddar Cheese."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for cheddar cheese since it contained less than 50 percent of milk fat.

DISPOSITION: October 13, 1952. The shipper, 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 manufactured into cheese food, under the supervision of the Federal Security Agency.

EGGS

19514. Adulteration of frozen eggs. U. S. v. Samuel Jacob Pollman (Sam Pollman Egg Co.). Plea of guilty. Fine, \$500. (F. D. C. No. 34306. Sample Nos. 49171-L, 49172-L.)

INFORMATION FILED: January 2, 1953, Western District of Missouri, against Samuel Jacob Pollman, trading as the Sam Pollman Egg Co., Kansas City, Mo.

ALLEGED SHIPMENT: On or about August 13, 1952, from the State of Missouri into the State of New York.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of chicken excrement; and, Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 9, 1953. A plea of guilty having been entered, the court imposed a fine of \$500.

19515. Adulteration of frozen eggs. U. S. v. 1,000 Cans * * *. (F. D. C. No. 33664. Sample No. 36390-L.)

LABEL FILED: August 27, 1952, Southern District of Indiana.

ALLEGED SHIPMENT: On or about July 21, 1952, by the Continent Frozen Foods Corp., from National Stock Yards, Ill.

PRODUCT: 1,000 30-pound cans of frozen eggs at Indianapolis, Ind.

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

DISPOSITION: February 11, 1953. The Continent Frozen Foods Corp. having filed an answer denying that the product was adulterated when introduced into commerce, but admitting that it was and had been adulterated while in

commerce, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration. As a result of the segregation operations, 396 cans of the product were found unfit.

FEEDS AND GRAINS

19516. Misbranding of pulverized oyster shell. U. S. v. Mayo Shell Corp. Plea of guilty. Fine, \$2,000. (F. D. C. No. 32807. Sample Nos. 33319-L, 35083-L.)

INFORMATION FILED: September 17, 1952, Southern District of Texas, against the Mayo Shell Corp., Houston, Tex.; amended October 14, 1952.

ALLEGED SHIPMENT: On or about January 1 and 18, 1952, from the State of Texas into the State of Wisconsin.

LABEL, IN PART: "50 Lbs. Net Mayo's Cal-Bon-Ate P. O. S. CaCo Guaranteed 97% Calcium Carbonate."

NATURE OF CHARGE: Misbranding, Section 403 (a), the statement "Guaranteed 97% Calcium Carbonate" was false and misleading since the product contained less than 97 percent of calcium carbonate.

DISPOSITION: October 15, 1952. A plea of guilty having been entered, the court fined the corporation \$2,000.

19517. Misbranding of cottonseed meal. U. S. v. Southland Cotton Oil Co. Plea of guilty. Fine, \$250. (F. D. C. No. 32818. Sample No. 39891-K.)

INFORMATION FILED: September 18, 1952, Western District of Texas, against the Southland Cotton Oil Co., a corporation, Temple, Tex.

ALLEGED SHIPMENT: On or about October 24, 1951, from the State of Texas into the State of Oklahoma.

LABEL, IN PART: "Sunny Southland Cottonseed Meal * * * Guaranteed Analysis Crude Protein not less than 41% Crude Fat not less than 5% Crude Fiber not more than 12%."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Guaranteed Analysis Crude Protein not less than 41% Crude Fat not less than 5% Crude Fiber not more than 12%" was false and misleading since the product contained less than 41 percent protein, less than 5 percent crude fat, and more than 12 percent crude fiber.

DISPOSITION: November 10, 1952. A plea of guilty having been entered, the defendant was fined \$250.

19518. Misbranding of soybean feed. U. S. v. 351 Bags * * *. (F.-D. C. No. 33668. Sample No. 48617-L.)

LIBEL FILED: August 28, 1952, Southern District of Iowa.

ALLEGED SHIPMENT: On or about July 11, 1952, by the Galesburg Soy Products Co., from Galesburg, Ill.

PRODUCT: 351 bags of soybean feed at Winterset, Iowa.

LABEL, IN PART: "100 Lbs. Net Hi-Protena Brand 42 Percent Protein Soybase Meal."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since