

DISPOSITION: October 10, 1952. Default decree of condemnation. The court ordered that the product be delivered to the National Zoological Park.

19628. Adulteration of butter. U. S. v. 5 Cases, etc. (F. D. C. No. 33959. Sample No. 8719-L.)

LABEL FILED: September 10, 1952, Northern District of New York.

ALLEGED SHIPMENT: On or about August 8, 1952, by the Seidel Creamery Co., from Bay City, Mich.

PRODUCT: Butter. 27 1-pound prints and 5 cases, each case containing 32 1-pound prints, at Schenectady, N. Y.

LABEL, IN PART: "Wilson's Clearbrook Creamery Butter * * * Distributed by Wilson & Co. Inc., General Offices, Chicago, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: November 19, 1952. Default decree of condemnation. The court ordered that the product be delivered to a public institution.

CHEESE

19629. Adulteration and misbranding of cheddar cheese. U. S. v. Dwight A. Tollefson (Whiting Cheese Factory). Plea of guilty. Fine of \$50, plus costs. (F. D. C. No. 33819. Sample No. 14922-L.)

INFORMATION FILED: November 3, 1952, District of Kansas, against Dwight A. Tollefson, trading as the Whiting Cheese Factory, Whiting, Kans.

ALLEGED SHIPMENT: On or about March 28, 1952, from the State of Kansas into the State of Missouri.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product which was made from unpasteurized milk and which contained more than 39 percent of moisture had been substituted for pasteurized cheddar cheese, which the product purported and was represented to be.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for cheddar cheese since it contained more than 39 percent of moisture and since the milk used in the manufacture of the cheese had not been pasteurized and the cheese had not been cured at a temperature of not less than 35° F. for a period of not less than 60 days.

DISPOSITION: November 10, 1952. A plea of guilty having been entered, the court fined the defendant \$50, plus costs.

EGGS

19630. Adulteration and misbranding of frozen eggs. U. S. v. Omaha Cold Storage Co. Plea of nolo contendere. Fine of \$600, plus costs. (F. D. C. No. 31074. Sample No. 79362-K.)

INFORMATION FILED: May 1, 1951, District of Nebraska, against the Omaha Cold Storage Co., a corporation, Omaha, Nebr.

ALLEGED SHIPMENT: On or about July 5, 1950, from the State of Nebraska into the State of Massachusetts.

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, Section 403 (e) (1), the label of the article failed to bear the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: January 8, 1953. The defendant having entered a plea of nolo contendere, the court fined it \$600, plus costs.

19631. Adulteration of frozen eggs. U. S. v. 470 Cans * * *. (F. D. C. No. 34052. Sample No. 11796-L.)

LABEL FILED: October 27, 1952, Southern District of Ohio.

ALLEGED SHIPMENT: On or about October 18, 1952, by the Producers Produce Co., from Springfield, Mo.

PRODUCT: 470 30-pound cans of frozen eggs at Cincinnati, Ohio.

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: December 5, 1952. Schneider Bros., Inc., Chicago, Ill., 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 the segregation of the fit from the unfit portion, under the supervision of the Food and Drug Administration. 222 cans of the product were salvaged, and 246 cans were converted into animal feed.

FISH AND SHELLFISH

19632. Adulteration of frozen tullibeas. U. S. v. 45 Boxes, etc. (F. D. C. No. 33083. Sample Nos. 48753-L, 48754-L.)

LABEL FILED: April 19, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about March 24 and 29, 1952, by the Kozloff Fish Co., from Detroit, Mich.

PRODUCT: 45 60-pound boxes and 45 125-pound boxes of frozen tullibeas at Minneapolis, Minn.

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

DISPOSITION: May 21, 1952. Olsen's, Inc., Minneapolis, Minn., 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 denaturing for use as animal feed, under the supervision of the Federal Security Agency.

19633. Adulteration and misbranding of canned tuna. U. S. v. 59 Cases * * *. (F. D. C. No. 33190. Sample No. 6822-L.)

LABEL FILED: April 21, 1952, Western District of New York.

RESULTS OF INVESTIGATION: The product was shipped in unlabeled cans on or about November 23, 1951, by Wilbur-Ellis Co., Inc., from New Bedford, Mass., to Brooklyn, N. Y., and was labeled there by the shipper and reshipped to Rochester, N. Y.

PRODUCT: 59 cases, each containing 48 cans, of tuna at Rochester, N. Y.

LABEL, IN PART: (Can) "Red & White Brand Solid Pack Light Meat Fancy Tuna Contents 7 Oz. Avoir. Product of Peru."