

DISPOSITION: June 3, 1953. The Wilsey-Bennett Co., San Francisco, Calif., 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 reworking under the supervision of the Department of Health, Education, and Welfare.

CHEESE

20319. Misbranding of muenster cheese. U. S. v. 48 Carton * * *. (F. D. C. No. 34972. Sample Nos. 51678-L, 51679-L.)

LIBEL FILED: April 28, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about April 8, 1953, by Joe Schmid, from Beaver Dam, Wis.

PRODUCT: 48 cartons, each containing 6 5-pound loaves or round units, of muenster cheese at New York, N. Y.

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Made From Pasteurized Milk" was false and misleading as applied to the product, which was made from milk which had not been pasteurized.

Further misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for muenster cheese since the article was made from milk which had not been pasteurized.

DISPOSITION: May 26, 1953. Default decree of condemnation and destruction.

FISH AND SHELLFISH

20320. Adulteration of frozen tullibeas. U. S. v. J. Kozloff Fish, Inc. Plea of nolo contendere. Fine, \$700. (F. D. C. No. 33824. Sample No. 48754-L.)

INFORMATION FILED: November 14, 1952, Eastern District of Michigan, against J. Kozloff Fish, Inc., Detroit, Mich.

ALLEGED SHIPMENT: On or about March 27, 1952, from the State of Michigan into the State of Minnesota.

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

DISPOSITION: July 10, 1953. The defendant having entered a plea of nolo contendere, the court fined it \$700.

20321. Misbranding of canned tuna flakes. U. S. v. 81 Cases * * *. (F. D. C. No. 34662. Sample No. 64071-L.)

LIBEL FILED: February 16, 1953, Eastern District of New York.

ALLEGED SHIPMENT: On or about December 29, 1952, by Whitney & Co., from Seattle, Wash.

PRODUCT: 81 cases, each containing 48 cans, of tuna flakes at Freeport, Long Island, N. Y.

LABEL, IN PART: (Can) "Contents 6 Oz. His Highness Brand Chunk Style White Meat Flaked Tuna."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than the labeled 6 ounces.)

DISPOSITION: April 10, 1953. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court or-