

ALLEGED VIOLATION: On or about May 27, 1953, the defendants caused to be given to a firm engaged in the business of shipping cheese in interstate commerce, at Huevelton, N. Y., a guaranty to the effect that no article delivered to the holder of the guaranty would be adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act.

On or about June 11, 1953, the defendants caused to be delivered to the holder of the guaranty, at Huevelton, N. Y., a quantity of cheese which was adulterated.

LABEL, IN PART: "New York State Brand Whole Milk Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of manure fragments and insect and rodent hair fragments, and by reason of the use of filth-contaminated milk in the preparation of the article; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 26, 1954. The defendants having entered pleas of guilty, the court fined the corporation \$250 and the individual \$11.

EGGS

20966. Adulteration of frozen eggs. U. S. v. 825 Cans * * * (F. D. C. No. 35511. Sample No. 69685-L.)

LIBEL FILED: September 25, 1953, District of Colorado.

ALLEGED SHIPMENT: On or about June 9, 1953, by the Wayne Poultry & Egg Co., from Wayne, Nebr. * * *

PRODUCT: 825 30-pound cans of frozen eggs at Denver, Colo.

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: November 17, 1953. The Wayne Poultry & Egg Co., 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 good portion from the bad, under the supervision of the Department of Health, Education, and Welfare.

As a result of the segregation operations, 110 cans of eggs were found unfit and were destroyed.

20967. Adulteration of frozen eggs. U. S. v. 500 Cans * * * (F. D. C. No. 35510. Sample No. 69684-L.)

LIBEL FILED: September 25, 1953, District of Colorado.

ALLEGED SHIPMENT: On or about August 31, 1953, by C. A. Swanson & Sons, from Omaha, Nebr.

PRODUCT: 500 30-pound cans of frozen eggs at Denver, Colo.

LABEL, IN PART: "Fine Quality Eggs Swanson Ever Fresh Brand Whole Eggs Quick Frozen."

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: November 17, 1953. C. A. Swanson & Sons, claimant, having consented to the entry of a decree, judgment of condemnation was entered