

**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 insects. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** February 3, 1955. The Arkansas Rice Growers Cooperative Association appeared as claimant with respect to 35 100-pound bags of rice. The claimant having consented to the entry of a decree, judgment of condemnation was entered against the 35 bags of rice, and the court ordered that the product be released under bond for segregation under the supervision of the Department of Health, Education, and Welfare. This rice was reconditioned by running it through regular milling operations. On February 7, 1955, a default decree of condemnation and destruction was entered with respect to the remaining 39 100-pound bags and 25 25-pound bags of rice.

**21715. Adulteration of wheat. U. S. v. 119,810 Pounds \* \* \*. (F. D. C. No. 36867. Sample No. 76553-L.)**

**LIBEL FILED:** June 30, 1954, Western District of Washington.

**ALLEGED SHIPMENT:** On or about June 4, 1954, by Cargill, Inc., from Collins, Mont.

**PRODUCT:** 119,810 pounds of wheat at Tacoma, Wash.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (2), the article contained an added poisonous and deleterious substance, a mercurial compound, which is unsafe within the meaning of the law since it is a substance not required in the production of the article and can be avoided by good manufacturing practice.

**DISPOSITION:** July 13, 1954. Cargill, 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 the purpose of scouring and washing, or decharacterizing, under the supervision of the Department of Health, Education, and Welfare. As a result of the reconditioning operations, 7,250 pounds of the product were found unfit and were destroyed.

## DAIRY PRODUCTS

### BUTTER

**21716. Adulteration of butter. U. S. v. Swisher Creamery, Inc., and Henry Teubel. Pleas of guilty. Fine of \$300 against corporation and \$200 against individual. (F. D. C. No. 36627. Sample Nos. 58259-L, 69900-L.)**

**INFORMATION FILED:** August 30, 1954, Northern District of Texas, against Swisher Creamery, Inc., Tulia, Tex., and Henry Teubel, president of the corporation.

**ALLEGED SHIPMENT:** On or about September 29 and October 16, 1953, from the State of Texas into the States of Illinois and New Mexico.

**LABEL, IN PART:** (Cartons, portion) "One Pound Butter Quartered Clardy's Fine Dairy Products 200 E. 5th Roswell, N. Mex."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the use of filth-contaminated cream in the preparation of the article and by reason of the presence in the article of

fly setae, other insect fragments, fly eggs, cat hair fragments, and rodent hair fragments.

**DISPOSITION:** November 4, 1954. The defendants having entered pleas of guilty, the court fined the corporation \$300 and the individual \$200.

**21717. Adulteration of butter. U. S. v. 167 Boxes (10,688 pounds) \* \* \*.**  
(F. D. C. No. 37127. Sample No. 58758-L.)

**LIBEL FILED:** September 14, 1954, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about August 6, 1954, by the Fairmont Foods Co., from Omaha, Nebr.

**PRODUCT:** 167 64-pound boxes of butter at Chicago, Ill.

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

**DISPOSITION:** September 17, 1954. The Fairmont Foods 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 conversion into butter oil and the purification of the oil for use as an ingredient in the manufacture of ice cream or other food products, under the supervision of the Department of Health, Education, and Welfare.

### CHEESE

**21718. Adulteration of grated cheese. U. S. v. 174 Cases \* \* \*.** (F. D. C. No. 37074. Sample No. 88103-L.)

**LIBEL FILED:** On or about August 30, 1954, District of Maryland.

**ALLEGED SHIPMENT:** On or about July 16, 1954, by the New Yorker Cheese Co., from Philadelphia, Pa.

**PRODUCT:** 174 cases, each containing 24 jars, of grated cheese at Landover, Md.

**LABEL, IN PART:** (Jar) "New Yorker Brand Grated Cheese Parmesan Style \* \* \* Net Wt. 2 Oz."

**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 insects and insect parts; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** September 28, 1954. Default decree of condemnation and destruction.

### FISH AND SHELLFISH\*

**21719. Adulteration of canned salmon. U. S. v. 125 Cases \* \* \* (and two other seizure actions).** (F. D. C. Nos. 36998 to 37000, incl. Sample Nos. 87210-L, 87215-L.)

**LIBEL FILED:** October 14, 1954, District of North Dakota.

**ALLEGED SHIPMENT:** Between the approximate dates of September 17 and 23, 1954, by the Whiz Fish Products Co., from Seattle, Wash.

**PRODUCT:** 623 cases, each containing 24 unlabeled 1-pound cans, of salmon at Minot, Grand Forks, and Bismarck, N. Dak.

\*See also Nos. 21731, 21748, 21749.