

shipper so as to show that the shipment had been made by the Tescott Cheese Co. from Tescott, Kans.

3502. Adulteration of Velveeta. U. S. v. 353 Bundles, each containing 10 2-pound boxes, of Velveeta. Default decree of condemnation. Product ordered disposed of for hog feed. (F. D. C. No. 6664. Sample No. 81413-E.)

This product contained nondescript dirt and hairs.

On January 12, 1942, the United States attorney for the District of Utah filed a libel against 353 bundles, each containing 10 2-pound boxes of Velveeta at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce on or about November 19, 1941, by the Kraft Cheese Co. from Pocatello, Idaho; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On March 7, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On July 25, 1942, a supplemental order was entered amending the original order of destruction to permit disposal of the product for hog feed.

3503. Adulteration and misbranding of process cheese. U. S. v. 12 Bundles and 51 Bundles of Process Cheese. Consolidated decree of condemnation. Product ordered released under bond for reconditioning and relabeling. (F. D. C. Nos. 6974, 6975. Sample Nos. 89056-E, 89057-E.)

This product was found to contain more moisture and less fat than process cheese should contain. Portions were falsely labeled as to the name of the distributor.

On March 5, 1942, the United States attorney for the District of New Jersey filed libels against 63 bundles, each containing 6 5-pound boxes of process cheese at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about January 8 and January 27, 1942, by Sunnette Cheese Corporation from New York, N. Y.; and charging that it was adulterated. It was labeled in part: "Wingdale [or "Elias"] Brand Pasteurized Process Cheese."

The article was alleged to be adulterated (1) in that a valuable constituent, milk fat, had been in whole or in part omitted therefrom; (2) in that a substance containing more moisture and less fat than process cheese had been substituted wholly or in part for process cheese; and (3) in that water had been added thereto or mixed or packed therewith so as to increase its bulk or weight or reduce its quality or strength, or make it appear better or of greater value than it was.

It was alleged to be misbranded in that the statement "Distributed By Jose A. Elias & Hermano New York, N. Y.," borne on some of the boxes in one lot and the statement "Distribuidores Exclusivos Para P. R.: José A. Elias & Hno.," borne on all of the boxes in the other lot were false and misleading since they were incorrect.

On April 13, 1942, Sunnette Cheese Corporation, claimant, having admitted the allegations of the libels and the cases having been consolidated, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked to bring it into compliance with the law. On July 10, 1942, the decree was amended to provide for mixing the product with other cheese and relabeling it under the supervision of the Food and Drug Administration.

CONDENSED MILK

3504. Adulteration and misbranding of condensed milk. U. S. v. 59 Cases, 20 Cases, and 7 Cases of Sweetened Condensed Milk. Consent decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. Nos. 7029, 7030, 7031. Sample No. 23390-E.)

Analysis showed that this product contained less than 8.5 percent of milk fat, the minimum permitted by the standard.

On March 16, 1942, the United States attorney for the Northern District of California filed a libel against 86 cases of condensed milk at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about December 2, 1941, by Whatcom County Dairy Association from Bellingham, Wash.; and charging that it was adulterated and misbranded. It was labeled in part: "Unicorn Brand Sweetened Condensed Milk."

It was alleged to be adulterated in that an article deficient in milk fat had been substituted wholly or in part for sweetened condensed milk, which it purported to be.

It was alleged to be misbranded in that it purported to be a food for which a definition and standard of identity had been prescribed by law and it failed to

conform to such definition and standard since it contained less than 8.5 percent of milk fat.

On March 27, 1942, the Southern Pacific Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

EGGS

3505. Adulteration and misbranding of dried egg yolk. U. S. v. Rogol Distributors, Inc., John T. Robertson, and Charles Gogel. Pleas of guilty. Fine of \$200 against the defendant corporation. Fine of \$100 against the defendant Robertson. Fine of \$50 against the defendant Gogel. (F. D. C. No. 6496. Sample No. 69060-E.)

This product was found to consist of approximately 50 percent of soybean flour with added carotin.

On or about June 1, 1942, the United States attorney for the Eastern District of New York filed an information against Rogol Distributors, Inc., John T. Robertson, and Charles Gogel, Brooklyn, N. Y., alleging shipment on or about April 10, 1941, from the State of New York into the State of New Jersey of a quantity of dried egg yolk which was adulterated and misbranded. It was labeled in part: "Spray Hen Egg Yolk."

The article was alleged to be adulterated in that a substance, namely, a mixture of dried egg yolk and soybean flour containing added carotin had been substituted wholly or in part for dried egg yolk, which it purported to be; in that it was inferior to dried egg yolk since that it consisted of a mixture of dried egg yolk and soybean flour and had been colored with carotin to simulate a product consisting entirely of dried egg yolk in a manner whereby its inferiority to dried egg yolk was concealed; and in that soybean flour had been added thereto or mixed or packed therewith so as to reduce its quality and in that carotin had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

It was alleged to be misbranded in that the statements, "Spray Hen Egg Yolk" and "Egg Yolk," borne in the cases, were false and misleading since they represented and suggested that it consisted entirely of dried egg yolk; whereas it did not consist entirely of dried egg yolk, but did consist of a mixture of egg yolk and soybean flour containing added carotin; in that it consisted of a mixture of egg yolk and soybean flour containing added carotin and was offered for sale under the name of another food, namely, "Spray Hen Egg Yolk" and "Egg Yolk"; in that it was fabricated from two or more ingredients and its label did not bear the common or usual name of each ingredient; in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor; in that it contained artificial coloring and did not bear labeling stating that fact; and in that it purported to be dried egg yolks a food for which a definition and standard of identity had been prescribed by law, but did not conform to such definition and standard of identity.

On June 20, 1942, pleas of guilty having been entered on behalf of all three defendants, the court imposed fines as follows: \$200 against the corporation, \$100 against defendant Robertson, and \$50 against defendant Gogel.

3506. Adulteration of spray dried whole eggs. U. S. v. 1. Barrel and 3 Barrels of Dried Whole Eggs. Default decrees of condemnation and destruction. (F. D. C. Nos. 7162, 7174. Sample Nos. 57459-E, 71421-E.)

Examination showed that this product was decomposed.

On April 6 and 9, 1942, the United States attorney for the Eastern District of Missouri filed libels against 4 barrels of dried whole eggs at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about February 27 and March 2, 1942, by F. M. Stamper Co. from Murray, Ky.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On May 8, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3507. Adulteration of frozen whole eggs. U. S. v. Marvin Belzer (Belzer Egg Products Co.). Plea of nolo contendere. Fine, \$100. (F. D. C. No. 6444. Sample No. 56906-E.)

Samples of this product were found to be decomposed and to have a phenolic or disinfectant odor.