

ALLEGED SHIPMENT: From on or about December 7, 1942, to January 26, 1944, from Los Angeles, Calif., New Orleans, La., St. Johns, N. Y., Bravo, Mich., and Cincinnati, Ohio.

PRODUCT: 1,056 cheeses and 771 cases of cheese in possession of the Ehrat Cheese Co., Inc., Chicago, Ill.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

This product was stored in a mite-infested room and samples examined contained mites.

DISPOSITION: May 25, 1944. Cases consolidated. The Ehrat Cheese Co., Inc., appeared as claimant and admitted allegations of the libels. The product was condemned and ordered released under bond for salvaging under the supervision of the Food and Drug Administration.

5860. Misbranding of grated cheese. U. S. v. 50 Cases of Cheese. Decree of condemnation. Product released under bond to be repackaged. (F. D. C. No. 10704. Sample No. 11526-F.)

LIBEL FILED: September 11, 1943, Northern District of California.

ALLEGED SHIPMENT: On or about July 10, 1943, from New York, N. Y., by Italian Importing.

PRODUCT: 50 cases, each containing 10 dozen cans, of cheese at San Francisco, Calif.

LABEL, IN PART: "Icco Brand Grated Argentine Parmesan Type Cheese * * * Packed by Icco Cheese Co. Inc. Brooklyn."

VIOLATION CHARGED: Misbranding, Section 403 (d), in that the container was so filled as to be misleading, since the cheese occupied only about 50 percent of the capacity of the can.

DISPOSITION: December 9, 1943. Claimant, Icco Cheese Company, Inc. A decree of condemnation was entered and the product was ordered released under bond, conditioned that it be sold in bulk but not for resale, under the supervision of the Food & Drug Administration.

MISCELLANEOUS DAIRY PRODUCTS

5861. Adulteration of dry milk solids. U. S. v. 57 Barrels of Dry Milk Solids. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 11131. Sample No. 41157-F.)

LIBEL FILED: On or about November 30, 1943, Northern District of Texas.

ALLEGED SHIPMENT: On or about July 14, 1943, by the Walgreen Co., Shelbyville, Ill.

PRODUCT: 57 200-pound barrels of dry milk solids at Dallas, Texas.

LABEL, IN PART: "Dry Milk Solids Vacuum Drum Process."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance, insects and insect fragments.

DISPOSITION: January 12, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution for charitable distribution and for use as animal feed, but not for sale or use for human consumption.

5862. Adulteration of oleomargarine. U. S. v. 2,192 Cartons and 57 Cartons of Oleomargarine. Decree of condemnation. Product ordered sold for uses other than human consumption. (F. D. C. No. 11132. Sample Nos. 4145-F, 4148-F.)

LIBEL FILED: November 16, 1943, Southern District of Ohio.

ALLEGED SHIPMENT: On or about May 10 and August 3, 1943, by the Shedd Products Co., Detroit, Mich.

PRODUCT: 2,249 1-pound cartons of oleomargarine at Cincinnati, Ohio.

LABEL, IN PART: "One Pound Net Mi Choice Vegetable Oleomargarine," or "One Pound Net New Kayko * * * The All Purpose Vegetable Oleomargarine."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance and was otherwise unfit for food since it was discolored, rancid, and moldy.