9887. Adulteration of whey cheese. U. S. v. Mannino Cheese Co., and Marco Mannino and Joseph S. Mannino. Pleas of guilty. Fine, $300 on count 1 ($100 against each defendant); imposition of sentence suspended on remaining count, and individual defendants placed on probation for 2 years. (F. D. C. No. 16612. Sample Nos. 7701–H, 7702–H.)

INFORMATION FILED: March 11, 1946, Middle District of Pennsylvania, against the Mannino Cheese Co., a partnership, and Marco Mannino and Joseph S. Mannino, partners.

ALLEGED SHIPMENT: On or about May 25 and June 4, 1945, from Potter Brook, Pa., to Brooklyn, N. Y.

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 paint and dirt fragments, insects and insect fragments, rodent hair fragments, human and cat hairs, unidentified animal hair, wood splinters, pebbles, plant and brush fibers, mold, rust, soot and coal fragments, and sand; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 5, 1946. Pleas of guilty having been entered, each of the three defendants was fined $100 on count 1. Imposition of sentence was suspended on count 2, and the individual defendants were placed on probation for 2 years.

9888. Adulteration and misbranding of cheese. U. S. v. 4 Boxes of Cheese. Default decree of forfeiture. Product ordered delivered to a public institution. (F. D. C. No. 20022. Sample No. 51078–H.)

LIBEL FILED: May 22, 1946, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about March 18, 1946, by the Dubuque Cooperative Dairy, Dubuque, Iowa.

PRODUCT: 4 boxes of cheese at Platteville, Wis. Each box contained 1 cheese weighing approximately 75 pounds.

NATURE OF CHARGE: Adulteration, Section 402(b)(2), a product containing excessive moisture and deficient in milk fat had been substituted in whole or in part for Cheddar cheese, which the product was purported to be.

Misbranding, Section 403(g)(1), the product failed to conform to the definition and standard of identity for Cheddar cheese since it contained more than 39 percent of moisture, and its solids contained less than 50 percent of milk fat.

DISPOSITION: August 1, 1946. No claimant having appeared, judgment of forfeiture was entered and the product was ordered delivered to a public institution.

9889. Adulteration of Cheddar cheese. U. S. v. 96 Cases of Cheddar Cheese. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 20258. Sample No. 30688–H.)

LIBEL FILED: July 12, 1946, District of Arizona.

ALLEGED SHIPMENT: On or about May 6, 1946, by the Superior Cheese Co., Green Bay, Wis.

PRODUCT: 96 cases, each containing 48 ½-pound packages, of Cheddar cheese at Phoenix, Ariz.

LABEL, IN PART: "Berkshire Brand."

NATURE OF CHARGE: Adulteration, Section 402(a)(3), the product consisted in whole or in part of a decomposed substance by reason of the presence of mold.

DISPOSITION: August 13, 1946. Plymouth Products, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law by segregating and denaturing the unfit portion, under the supervision of the Food and Drug Administration.

9890. Adulteration of Colby cheese. U. S. v. 3 Boxes of Colby Cheese. Default decree of condemnation and destruction. (F. D. C. No. 20296. Sample No. 63421–H.)

LIBEL FILED: On or about June 28, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about May 11, 1946, by the Homeland Dairy Co., Mauston, Wis.

PRODUCT: 3 boxes, each containing approximately 70 pounds, of Colby cheese.

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 insect frag-