DISPOSITION: July 1, 1946. M. Wildstein and Sons, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

9897. Adulteration of Romano cheese. U. S. v. 14 Romano Cheeses. Default decree of condemnation and destruction. (F. D. C. No. 20352. Sample No. 60405-H.)

LIBEL FILED: June 19, 1946, Western District of New York.

ALLEGED SHIPMENT: On or about June 6, 1946, by the Roma Extract Co., from Boston, Mass. This product had been shipped originally by the Empire State Cheese Co., New York, N. Y., to Boston, Mass., and was returned by the consignee.

PRODUCT: 14 15-pound Romano cheeses at Olean, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent-gnawed cheese and rodent pellets; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 15, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9898. Adulteration of Welsh-rarebit (cheese spread). U. S. v. 23 Cartons, 8 Cartons, and 6 Cases of Welsh-rarebit. Default decrees of condemnation and destruction. (F. D. C. Nos. 19976, 20243. Sample Nos. 7370-H, 56717-H, 63408-H.)

LIBELS FILED: May 29 and June 12, 1946, Districts of New Jersey and Massachusetts.

ALLEGED SHIPMENT: Between the approximate dates of March 18, 1945, and January 29, 1946, by the Magnolia Food Products Corporation, from Brooklyn, N. Y.

PRODUCT: 23 cartons, each containing 24 4-ounce jars, and 8 cartons, each containing 24 12-ounce jars, of Welsh-rarebit at Newark, N. J., and 6 cases, each containing 24 12-ounce jars, of the same product at Salem, Mass. A portion of this product was decomposed, and the remainder was undergoing progressive decomposition.

LABEL, IN PART: "Magnolia Brand Welsh-rarebit."

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

DISPOSITION: July 1 and August 6, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

EGGS

9899. Adulteration of frozen whole eggs and adulteration and misbranding of frozen egg yolks. U. S. v. Marion Creamery & Poultry Co. (Columbia Produce Co.). Plea of nolo contendere. Fine, $100. (F. D. C. No. 17822. Sample Nos. 4512-H, 4514-H, 27417-H, 28054-H, 28056-H, 28057-H, 28717-H.)

INFORMATION FILED: February 26, 1946, District of Oregon, against the Marion Creamery and Poultry Co., trading as the Columbia Produce Co., Portland, Oreg.

ALLEGED SHIPMENT: Between the approximate dates of February 2 and March 15, 1945, from the State of Oregon into the States of Pennsylvania and Washington.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the whole eggs consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs, and one lot of the whole eggs and one lot of the egg yolks were unfit for food by reason of the presence of musty eggs.

Misbranding, Section 403 (g) (1), the egg yolk failed to conform to the definition and standard of identity prescribed by the regulations, since they contained less than 43 percent total egg solids, the minimum egg solids permitted in egg yolks by the definition and standard.

DISPOSITION: June 25, 1946. A plea of nolo contendere having been entered, the court imposed a fine of $100.

9900. Adulteration of frozen whole eggs. U. S. v. 763 and 166 30-Pound Cans of Frozen Whole Eggs. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 19685, 19947. Sample Nos. 5282-H, 63306-H.)

LIBELS FILED: April 18 and May 22, 1946, Southern District of New York and Eastern District of Pennsylvania.