

11746. Adulteration of skim milk cheeses. U. S. v. 520 * * *. (F. D. C. No. 19815. Sample No. 35972-H.)

LIBEL FILED: May 2, 1946, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about April 4, 1946, by the West Concord Butter & Cheese Assoc., from West Concord, Minn.

PRODUCT: 520 75-pound skim milk cheeses at Oklahoma City, Okla.

LABEL, IN PART: "Skim Milk 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 parts, rodent hairs, and manure; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 23, 1946. The West Concord Butter & Cheese Assoc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered sold as unfit for human consumption. It was disposed of as stock feed.

11747. Adulteration of Romano cheese. U. S. v. 68 Cases, etc. (and 4 other seizure actions). (F. D. C. Nos. 21363, 21364, 21591, 21637, 21751. Sample Nos. 59910-H to 59912-H, incl., 59914-H, 64460-H, 64562-H, 81505-H.)

LIBELS FILED: Between October 23 and November 22, 1946, Western District of Pennsylvania, Southern and Eastern Districts of New York, and District of Oregon.

ALLEGED SHIPMENT: Between the approximate dates of August 13 and September 18, 1946, by the Colorado Cheese Co., Inc., from Trinidad, Colo.

PRODUCT: 17,524 pounds of Romano cheese, in various lots, at Pittsburgh, Pa., New York, N. Y., Brooklyn, N. Y., and Portland, Oreg.

LABEL, IN PART: "Colorado Romano Cheese."

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 maggots, insect fragments, and mites; and, Section 402 (a) (4), (Portland lot) it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: Between December 18, 1946, and August 19, 1947. The Sausage Manufacturing Co., claimant for one of the Pittsburgh lots, and the Colorado Cheese Co., Inc., claimant for the New York City and Brooklyn lots, having admitted the facts of the respective libels, judgments of condemnation were entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. No claimant having appeared for the other Pittsburgh lot and the Portland lot, decrees of condemnation were entered and the product was ordered destroyed.

EGGS

11748. Adulteration and misbranding of frozen eggs. U. S. v. L. Meyer and Co. Plea of nolo contendere. Fine, \$400. (F. D. C. No. 21438. Sample No. 8096-H.)

INFORMATION FILED: February 11, 1947, District of New Jersey, against L. Meyer & Co., a corporation, Jersey City, N. J.

ALLEGED SHIPMENT: On or about February 4, 1946, from the State of New Jersey into the State of New York.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of frozen eggs, water, and yellow coal-tar color had been substituted for frozen eggs; Section 402 (b) (3), the article was inferior to frozen eggs, and its inferiority had been concealed by the addition of yellow coal-tar color; and, Section 402 (b) (4), water had been added to the article so as to increase its bulk and weight and reduce its quality, and yellow coal-tar color had been added to the article so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for frozen eggs since it was not prepared by freezing liquid eggs as defined in the regulations, in that the article also contained added water and yellow coal-tar color.