

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 mites, and it was otherwise unfit for food by reason of its moldy, musty condition.

DISPOSITION: April 9, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12070. Misbranding of cream cheese. U. S. v. 7 Cases, etc. (F. D. C. No. 22573. Sample Nos. 60564-H, 60565-H.)

LIBEL FILED: February 25, 1947, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 7, 1947, by the Fairmont Creamery Co., from Buffalo, N. Y.

PRODUCT: 7 cases, each containing 10 3-pound boxes, and 18 dozen 3-ounce packages of cream cheese at Pittsburgh, Pa.

LABEL, IN PART: "Fairmont's Pasteurized Cream Cheese Vegetable Gum Added 37% Milk Fat."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "37% Milk Fat" was false and misleading.

DISPOSITION: March 6, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

EGGS

12071. Adulteration of frozen whole eggs. U. S. v. 35 Cans * * *. (F. D. C. No. 22172. Sample No. 57630-H.)

LIBEL FILED: January 10, 1947, District of Maine.

ALLEGED SHIPMENT: On or about December 8, 1946, by the National Grain Yeast Co., from Cambridge, Mass.

PRODUCT: 35 30-pound cans of frozen whole eggs at Portland, Maine.

LABEL, IN PART: "Capital Butter & Egg Co. Washington 4, D. C. Whole Eggs."

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

DISPOSITION: February 19, 1947. The Arthur Redmond Co., Inc., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

12072. Adulteration of frozen whole eggs. U. S. v. 460 Cans * * *. (F. D. C. Nos. 22591, 22592. Sample No. 39173-H.)

LIBEL FILED: March 12, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about February 10, 1947, by the Watertown Egg & Produce Company, from Watertown, Wis.

PRODUCT: 460 30-pound cans of frozen whole eggs at Chicago, Ill.

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

DISPOSITION: April 21, 1947. The Forrest Poultry Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the fit portion be separated from the unfit and that the unfit portion be denatured, under the supervision of the Federal Security Agency, so that it could not be sold for human consumption.

12073. Adulteration of frozen egg yolks. U. S. v. 536 Cans * * *. (F. D. C. No. 22588. Sample Nos. 39171-H, 39172-H.)

LIBEL FILED: March 7, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about June 12 and 24, 1946, by R. B. Colby Farm Produce, from Loyal, Wis.

PRODUCT: 536 30-pound cans of frozen egg yolks at Chicago, Ill.

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

DISPOSITION: April 10, 1947. R. B. Colby, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated from the fit portion, under the supervision of the Federal Security Agency, and disposed of in compliance with the law.

12074. Adulteration of shell eggs. U. S. v. 610 Cases * * *. (F. D. C. No. 22350. Sample No. 60086-H.)

LABEL FILED: January 2, 1947, Western District of New York.

ALLEGED SHIPMENT: On or about December 10, 1946, by the Smithfield Packing Co., from Smithfield, Va.

PRODUCT: 610 cases each containing 30 dozen eggs at Buffalo, N. Y.

LABEL, IN PART: "Packed by Nor. Wis. Prod. Co. Manitowoc, Wis."

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

DISPOSITION: On January 27, 1947, a default decree of condemnation and destruction was entered. This decree was vacated January 28, 1947, at the request of the Northern Wisconsin Produce Co., who filed a claim and answer in the matter. The claimants consented to the entry of a decree, and on January 30, 1947, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration. On February 19, 1947, this decree was amended to correct a mistake in the terminology.

FISH AND SHELLFISH

12075. Adulteration of frozen chubs. U. S. v. 910 Pounds * * *. (F. D. C. No. 22338. Sample No. 39217-H.)

LABEL FILED: January 9, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 13, 1946, by the Gem Smoked Fish Co., from New York, N. Y.

PRODUCT: 910 pounds of frozen chubs in boxes at Chicago, Ill.

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

DISPOSITION: April 4, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, for use as animal feed.

12076. Adulteration of frozen ciscoes and frozen whitefish fillets. U. S. v. 27 Boxes * * * (and 1 other seizure action). (F. D. C. Nos. 22116, 22213. Sample Nos. 63525-H, 63530-H, 63534-H.)

LABELS FILED: December 27, 1946, and January 28, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about July 22 and August 16, 1946, by W. F. Kolbe and Co., from Fort Dover, Ont., and by the Erie Fish Co., from Erie, Pa.

PRODUCT: 27 boxes, containing a total of approximately 3,795 pounds, of frozen ciscoes and 7 boxes, containing a total of approximately 337 pounds, of frozen whitefish fillets at New York, N. Y.

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

DISPOSITION: January 28 and February 19, 1947. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

12077. Adulteration of frozen codfish. U. S. v. 632 Boxes * * *. (F. D. C. No. 22434. Sample No. 40067-H.)

LABEL FILED: January 23, 1947, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 10, 1945, by the Commonwealth Ice & Cold Storage Co., from Boston, Mass.

PRODUCT: 632 15-pound boxes of frozen codfish at St. Louis, Mo.

LABEL, IN PART: "Cod 15 Lbs Net Cassius Hunt Co. Boston, Mass."