

**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 fragments, rodent hair fragments, and manure; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** February 4, 1947. Default decree of condemnation and destruction.

**12672. Adulteration of grated cheese. U. S. v. 7 Cases \* \* \*. (F. D. C. No. 24013. Sample No. 6023-K.)**

**LIBEL FILED:** December 11, 1947, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about August 13, 1947, by Charles Chesman, from New York, N. Y.

**PRODUCT:** 7 cases, each containing 25 1-pound cartons, of grated cheese at Pittsburgh, Pa.

**LABEL, IN PART:** Edelweiss \* \* \* Grated South American and Domestic Cheeses John Sexton & Co., Chicago, Ill."

**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.

**DISPOSITION:** January 14, 1948. Default decree of condemnation and destruction.

**12673. Misbranding of cheese in wine or brandy. U. S. v. 50 Cases \* \* \*. (F. D. C. No. 24190. Sample No. 4007-K.)**

**LIBEL FILED:** December 18, 1947, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about November 26, 1947, by the Dutchess Food Specialties Co., from New York, N. Y.

**PRODUCT:** 50 cases, each containing 12 sets of 3 individually colored crocks, of cheese in wine or brandy at Boston, Mass.

**LABEL, IN PART:** "Roquefort-Type Cheese in Brandy [or "Cheddar Cheese in Port Wine," or "Stilton Cheese in Port Wine"] \* \* \* Net Wt.—5 Ozs. Packed for S. S. Pierce Co., Boston, Mass."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The crocks contained less than the declared weight of 5 ounces.)

**DISPOSITION:** January 23, 1948. The Dutchess Food Specialties Co., 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 to be relabeled, under the supervision of the Food and Drug Administration.

#### CREAM

**12674. Adulteration of cream. U. S. v. John Rupp. Plea of guilty. Fine, \$50 and costs. (F. D. C. No. 23599. Sample No. 89225-H.)**

**INFORMATION FILED:** December 4, 1947, District of Kansas, against John Rupp, Ellis, Kans.

**ALLEGED SHIPMENT:** On or about June 7, 1947, from the State of Kansas into the State of Colorado.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of a dead mouse and numerous rodent hairs.

**DISPOSITION:** January 26, 1948. Plea of guilty; fine, \$50, plus costs.

**12675. Adulteration of cream. U. S. v. 2 Cans \* \* \* (and 8 other seizure actions). (F. D. C. Nos. 23913 to 23920, incl. Sample Nos. 28001-K, 28010-K, 28011-K, 28014-K, 28016-K, 28017-K, 28602-K, 28604-K, 28608-K.)**

**LIBELS FILED:** September 12, 17, and 25, 1947, District of Colorado.

**ALLEGED SHIPMENT:** Between the approximate dates of September 4 and 21, 1947, by Leon's Produce, Colby, Kans.; April Produce, Sidney, Nebr.; Bowker Produce Station, Big Springs, Nebr.; Alta Bullock, Grant, Nebr.; Beatrice Creamery Co., Benkelman, Nebr.; Oelke Produce Co., Hoxie, Kans.; Clyde Adams, St. Francis, Kans.; and Cecil Johnson, Bridgeport, Nebr.

**PRODUCT:** 14 10-gallon cans of cream at Denver, Colo.

**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 moths, insect parts, cow hair, feather barbules, carbon, threads, vegetable fibers, metal fragments, whole insects, hair resembling cat hair and rodent hair, lacquer particles, plant tissues, ants, rust, and nondescript dirt.

**DISPOSITION:** September 12, 17, and 25, 1947. The consignees having consented to the entry of decrees, judgments were entered ordering the immediate destruction of the product.

**12676. Adulteration of cream. U. S. v. 1 Can \* \* \*. (F. D. C. No. 21287. Sample No. 59782-H.)**

**LABEL FILED:** September 17, 1946, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about September 12, 1946, by Edgar O. Johnson, from Monterey, Va.

**PRODUCT:** 1 10-gallon can of cream at Pittsburgh, Pa.

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

**DISPOSITION:** September 17, 1946. The consignee having consented, an order for the immediate destruction of the product was issued.

### EGGS

**12677. Adulteration of dried whole eggs. U. S. v. 39 Barrels \* \* \*. (F. D. C. No. 23980. Sample No. 14438-K.)**

**LABEL FILED:** November 25, 1947, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about October 9, 1947, by Rothenburg & Schneider Bros., from New York, N. Y.

**PRODUCT:** 39 100-pound barrels of dried whole eggs at Chicago, Ill. Examination showed that the product was contaminated with feather fragments, wood fibers, and brush bristles.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance and was otherwise unfit for food.

**DISPOSITION:** December 16, 1947. Rothenburg & Schneider Bros. 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 for the purpose of segregating the good eggs from the bad and converting the bad eggs into stock feed by denaturing, under the supervision of the Federal Security Agency.

**12678. Adulteration of frozen whole eggs. U. S. v. 60 Cans, etc. (F. D. C. No. 23956. Sample Nos. 14441-K to 14443-K, incl.)**

**LABEL FILED:** November 13, 1947, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about April 2, May 5, and July 26, 1947, by the Fairmont Creamery Co., from Omaha, Nebr.

**PRODUCT:** 229 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:** December 15, 1947. Irving Horwitz, Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the purpose of segregating the good eggs from the bad, under the supervision of the Federal Security Agency. On December 17, 1947, an amended decree was entered ordering that the bad eggs be denatured or destroyed.

**12679. Adulteration of frozen whole eggs. U. S. v. 183 Cans \* \* \*. (F. D. C. No. 23955. Sample No. 14440-K.)**

**LABEL FILED:** November 12, 1947, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about May 13, 1947, by the McKinley Produce Co., from Greensburg, Ind.

**PRODUCT:** 183 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.