

and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 12, 1949. Pleas of guilty having been entered, the court imposed a fine of \$250 against the association and a fine of \$100 against the individual.

15673. Misbranding of canned butter and canned dehydrated eggs. U. S. v. 5 Cartons, etc. (F. D. C. No. 27319. Sample Nos. 3890-K, 3891-K.)

LIBEL FILED: June 9, 1949, District of Columbia.

ALLEGED SHIPMENT: On or about November 15, 1948, and May 3, 1949, by the Coburn Farm Products Corp., from New York, N. Y.

PRODUCT: 5 cartons, each containing 24 cans, of butter, and 5 cartons, each containing 24 cans, of dehydrated whole eggs, at Washington, D. C.

LABEL, IN PART: (Can) "1 Pound Net Wt. Sondra Creamery Butter" and "Sondra Brand Dehydrated Whole Eggs * * * Contents 8 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the articles failed to bear labels containing an accurate statement of the quantity of the contents. (The articles were short of the declared weight.)

DISPOSITION: March 1, 1950. The Coburn Farm Products Corp. having appeared as claimant and later withdrawn its claims, judgment of condemnation was entered and the court ordered that the dehydrated eggs be delivered to the Food and Drug Administration for the purpose of examination and that the butter be delivered to a local hospital for its use and not for sale.

15674. Adulteration of canned imitation butter. U. S. v. 184 Cases * * *. (F. D. C. No. 27755. Sample No. 36868-K.)

LIBEL FILED: On or about September 21, 1949, Western District of Washington.

ALLEGED SHIPMENT: On or about August 30, 1948, by the Aleutco Corp., from Adak, Alaska.

PRODUCT: 184 cases, each containing 8 6-pound, 9-ounce cans, or 6-pound, 4-ounce cans, of imitation butter at Tacoma, Wash.

LABEL, IN PART: "Preserved Butter Army Spread [or "Carter's Spread"] For Export Only Not to be resold."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), (Carter's Spread) the product was unfit for food by reason of its rancidity; and, Section 402 (b) (2), (Army Spread) a product resembling a soft cheese spread and containing less than 80 percent of milk fat had been substituted in whole or in part for butter, which the product purported to be.

DISPOSITION: December 15, 1949. Default decree of condemnation and forfeiture. The product was destroyed.

CHEESE

15675. Adulteration of Formaggio cheese. U. S. v. Italian Cheese Mfg. Co. and Joseph P. Tito. Pleas of nolo contendere. Each defendant fined \$100. (F. D. C. No. 27537. Sample Nos. 11947-K, 11948-K.)

INFORMATION FILED: October 14, 1949, Eastern District of Pennsylvania, against the Italian Cheese Mfg. Co., a partnership, Bath, Pa., and Joseph P. Tito, a partner.

ALLEGED SHIPMENT: On or about May 31, 1949, from the State of Pennsylvania into the State of New York.

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

DISPOSITION: January 24, 1950. Pleas of nolo contendere having been entered, the court fined each defendant \$100.

15676. Adulteration of cheese. U. S. v. 1 Keg * * *. (F. D. C. No. 27752. Sample No. 55344-K.)

LABEL FILED: On or about October 28, 1949, District of Kansas.

ALLEGED SHIPMENT: On or about July 20, 1949, by Angelo Manos, Trinchera, Colo.

PRODUCT: 1 85-pound keg of cheese at Kansas City, Kans.

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 hairs and dirt.

DISPOSITION: January 9, 1950. Default decree of condemnation and destruction.

MISCELLANEOUS DAIRY PRODUCT

15677. Adulteration of ice cream. U. S. v. Harold D. Myers (Alamosa Creamery Co.). Plea of guilty. Sentence of 30 days in jail and fine of \$500. Jail sentence subsequently modified. (F. D. C. No. 26744. Sample Nos. 49518-K to 49520-K, incl., 49523-K.)

INFORMATION FILED: October 3, 1949, District of Colorado, against Harold D. Myers, trading as the Alamosa Creamery Co., Alamosa, Colo.

ALLEGED SHIPMENT: On or about April 23 and 28, 1949, from the State of Colorado into the State of New Mexico.

LABEL, IN PART: (Portion) "Myers Sweet Cream Vanilla Ice Cream."

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

DISPOSITION: On December 2, 1949, a plea of guilty having been entered, the court imposed a fine of \$500 and sentenced the defendant to serve 30 days in jail. On December 13, 1949, the court entered an order modifying the judgment of December 2, 1949, so as to release the defendant from custody.

EGGS*

15678. Misbranding of frozen liquid whole eggs. U. S. v. Independent Food Products Co., Inc., et al. Pleas of guilty by Independent Food Products Co., Inc., and Israel Rosenbaum; pleas of not guilty by Sam Rosenbaum and Sidney Weissman. Independent Food Products Co., Inc., fined \$500; Israel Rosenbaum fined \$100. Actions dismissed as to Sam Rosen-

*See also No. 15673.