

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

**DISPOSITION:** September 15, 1951. Default decree of condemnation and destruction.

**19119. Adulteration of egg powder and misbranding of egg powder and butter. U. S. v. Lakeview Dairy Products, Inc., and Benjamin Goldenberg. Pleas of guilty. Defendants fined \$2,500. (F. D. C. No. 31552. Sample Nos. 3555-L, 3556-L.)**

**INFORMATION FILED:** March 27, 1952, Southern District of New York, against Lakeview Dairy Products, Inc., New York, N. Y., and Benjamin Goldenberg, president.

**ALLEGED SHIPMENT:** On or about January 2 and 30, 1951, from the State of New York into the State of Maryland.

**NATURE OF CHARGE:** Egg powder. Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent hair fragments and wood splinters.

Egg powder and butter. Misbranding, Section 403 (a), the label statements (butter) "1 Lb. Net Weight" and (egg powder) "Net Weight 8 Ounces" were false since the cans containing the foods contained less than the labeled amounts.

**DISPOSITION:** April 28, 1952. Pleas of guilty having been entered, the court fined the defendants \$2,500 jointly and severally.

**19120. Adulteration of butter. U. S. v. 34 Cartons \* \* \*. (F. D. C. No. 31236. Sample Nos. 19042-L, 23918-L.)**

**LIBEL FILED:** April 28, 1951, Northern District of New York.

**ALLEGED SHIPMENT:** On or about April 11, 1951, by the Holmen Cooperative Creamery Association, from Holmen, Wis.

**PRODUCT:** 34 63-pound cartons of butter at Troy, N. Y.

**LABEL, IN PART:** "Creamery Butter First National Stores, Inc. Distributors Somerville, Mass."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** July 11, 1951. First National Stores, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for reworking, under the supervision of the Federal Security Agency.

#### CHEESE

**19121. Adulteration of grated cheese. U. S. v. Icco Cheese Co., Inc. Plea of guilty. Fine of \$75. (F. D. C. No. 32698. Sample Nos. 25526-L, 25527-L, 26354-L.)**

**INFORMATION FILED:** April 15, 1952, Eastern District of New York, against Icco Cheese Co., Inc., Brooklyn, N. Y.

**ALLEGED SHIPMENT:** On or about June 4, 13, and 26, 1951, from the State of New York into the State of Pennsylvania.

**LABEL, IN PART:** "Sexton \* \* \* Grated Romano Cheese Distributed by John Sexton & Co., \* \* \* Chicago, Ill." or "Icco \* \* \* Grated Imported Argentine

and Domestic Romano Sharp Type Cheese Grated and Packed By Icco Cheese Co., Inc. Brooklyn, N. Y.”

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a substance other than grated Romano cheese had been substituted in whole or in part for grated Romano cheese, which the article was represented to be.

**DISPOSITION:** July 9, 1952. A plea of guilty having been entered, the court imposed a fine of \$75.

**19122. Adulteration of cottage cheese, cream, and condensed skim milk. U. S. v. Foremost Dairies, Inc. Plea of nolo contendere. Fine of \$100. (F. D. C. No. 31544. Sample Nos. 55050-K, 82034-K, 905-L, 908-L, 1403-L, 1899-L.)**

**INFORMATION FILED:** September 28, 1951, Middle District of Tennessee, against Foremost Dairies, Inc., Columbia, Tenn.

**ALLEGED SHIPMENT:** Between September 26, 1950, and March 31, 1951, from the State of Tennessee into the States of North Carolina, South Carolina, Georgia, Alabama, and Florida.

**LABEL, IN PART:** “Foremost Dairies, Inc. \* \* \* 40% Sweet Cream [or “36% Cond. Skim” or “Cottage Cheese”].”

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in part of filthy substances since they had been prepared from dirty milk and since they contained insect fragments, cow hairs, rodent hair fragments, fly fragments, mites, feather barbules, dog hairs, and a cockroach.

**DISPOSITION:** November 17, 1952. A plea of nolo contendere having been entered, the court fined the defendant \$100.

**19123. Adulteration and misbranding of process cheese. U. S. v. 15 Cases \* \* \*. (F. D. C. No. 33050. Sample No. 27568-L.)**

**LABEL FILED:** April 14, 1952, Northern District of California.

**ALLEGED SHIPMENT:** On or about February 13, 1952, by L. D. Schreiber & Co., Inc., from Green Bay, Wis.

**PRODUCT:** 15 cases, each containing 20 ½-pound packages, of process cheese at Oakland, Calif.

**LABEL, IN PART:** “Golden State Brand Pasteurized Process American Cheese.”

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance, dehydroacetic acid, which is unsafe within the meaning of the law since it is not required in the production of the food and can be avoided by good manufacturing practice.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for pasteurized process American cheese since it contained dehydroacetic acid, which is not a permitted ingredient.

**DISPOSITION:** August 14, 1952. Default decree of condemnation and destruction.

## FISH AND SHELLFISH

**19124. Adulteration of frozen pollack. U. S. v. 22 Cans \* \* \*. (F. D. C. No. 33332. Sample Nos. 23250-L, 23251-L.)**

**LABEL FILED:** July 9, 1952, Southern District of New York.

**ALLEGED SHIPMENT:** Between June 1 and 4, 1952, from Gloucester, Mass.