

**ALLEGED SHIPMENT:** On or about December 28, 1952, from the State of Illinois into the State of Wisconsin.

**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 insect fragments; and, Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** December 8, 1953. The Government having furnished a bill of particulars in response to the defendant's motion therefor and the defendant subsequently having entered a plea of nolo contendere, the court imposed a fine of \$1,000, which was suspended, and placed the defendant on probation for 2 years.

**20726. Adulteration and misbranding of pasteurized process American cheese.**

U. S. v. 129 Boxes \* \* \*. (F. D. C. No. 35637. Sample No. 45546-L.)

**LIBEL FILED:** September 17, 1953, District of Rhode Island.

**ALLEGED SHIPMENT:** On or about August 13, 1953, by the Spring Maid Packing Co., from New York, N. Y.

**PRODUCT:** 129 boxes of pasteurized process American cheese at Woonsocket, R. I.

**LABEL, IN PART:** (Box) "Spring Maid Brand Pasteurized Process American Cheese Net Wt. 5 Lbs."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing excessive moisture and deficient in fat had been substituted in whole or in part for pasteurized process American cheese.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for pasteurized process American cheese since it contained more than 40 percent of moisture and its solids contained less than 50 percent of milk fat.

**DISPOSITION:** October 22, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

**20727. Adulteration and misbranding of pasteurized process American cheese.**

U. S. v. 10 Cases \* \* \*. (F. D. C. No. 35634. Sample Nos. 45378-L, 45379-L.)

**LIBEL FILED:** September 14, 1953, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about August 17, 1953, by the Spring Maid Dairy Products Co., from New York, N. Y.

**PRODUCT:** 10 cases, each containing 6 loaves, of pasteurized process American cheese at Worcester, Mass.

**LABEL, IN PART:** (Loaf wrapper) "Spring Maid Brand Pasteurized Process American Cheese Net Wt. 5 Lbs."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing excessive moisture and deficient in fat had been substituted in whole or in part for pasteurized process American cheese.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for pasteurized process American cheese since it contained more than 40 percent of moisture and its solids contained less than 50 percent of milk fat.

**DISPOSITION:** November 2, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for its use and not for sale.

### EGGS

**20728. Adulteration of frozen eggs. U. S. v. 764 Cans \* \* \*. (F. D. C. No. 33680. Sample No. 53020-L.)**

**LABEL FILED:** September 9, 1952, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about May 21 and 22, 1952, by the Continent Frozen Foods Corp., from National Stock Yards, Ill.

**PRODUCT:** 764 30-pound cans of frozen eggs at St. Louis, Mo.

**LABEL, IN PART:** "Independent's Frozen Egg Products Solids Quality Point Pointex."

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

**DISPOSITION:** December 18, 1952. The shipper, claimant, having consented to the entry of a decree, judgment was entered ordering that the product be released under bond for segregation of the unfit portion for industrial use, under the supervision of the Food and Drug Administration. 409 cans of the product were found unfit and were denatured.

**20729. Adulteration of frozen eggs. U. S. v. 25 Cans \* \* \*. (F. D. C. No. 35023. Sample No. 41006-L.)**

**LABEL FILED:** May 4, 1953, Eastern District of Washington.

**ALLEGED SHIPMENT:** On or about December 30, 1952, and February 26, 1953, by the Portland Egg & Poultry Co., from Portland, Oreg.

**PRODUCT:** 25 30-pound cans of frozen eggs at Spokane, Wash.

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

**DISPOSITION:** September 8, 1953. The Portland Egg & Poultry Co., claimant, having withdrawn its claim and answer, judgment of condemnation was entered and the court ordered that the product be destroyed.

### FEEDS AND GRAINS

**20730. Misbranding of alfalfa meal. U. S. v. Luxora Gin Co., Inc. Plea of nolo contendere. Fine, \$625. (F. D. C. No. 34827. Sample No. 164-L.)**

**INFORMATION FILED:** May 12, 1953, Eastern District of Arkansas, against the Luxora Gin Co., Inc., Luxora, Ark.

**ALLEGED SHIPMENT:** On or about September 22, 1952, from the State of Arkansas into the State of Kentucky.

**LABEL, IN PART:** (Tag on bag) "17% Dehydrated Alfalfa Meal 100 Lbs. Net Guaranteed Analysis Crude Protein, not less than---- 17.0% Luxora Gin Co. Luxora, Ark."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Crude Protein, not less than---- 17.0%" was false and misleading since the article contained less than 17 percent of crude protein.