

**LABEL IN PART:** (Box) "Illinois Cheddar Cheese Plant 526."

**LIBELED:** 12-3-53, W. Dist. Wis.

**CHARGE:** 402 (a) (3)—when shipped it contained insect fragments and manure fragments and was prepared from filthy milk.

**DISPOSITION:** On 1-18-54, Cissna Park Cheese Co., claimant, filed an answer denying that the cheese was adulterated as alleged. Interrogatories then were served upon the claimant by the Government and subsequently were answered. Thereafter, the Government filed a motion for a summary judgment on the ground that there was no genuine issue as to any material fact. The court, on 10-4-55, granted the Government's motion and ordered that the article be condemned. The cheese was denatured for use as fish bait.

**22314. Washed curd cheese.** (F. D. C. No. 37230. S. Nos. 88-285 L, 88-300 L, 88-309 L.)

**INFORMATION FILED:** 3-22-55, N. Dist. N. Y., against Ontario Cheese Factory Association, an unincorporated association, Smithville, N. Y.

**ALLEGED VIOLATION:** On 5-22-53, the defendant gave to a firm engaged in the business of shipping cheese in interstate commerce a guaranty to the effect that cheese shipped by it under the guaranty would not be adulterated or misbranded. Between 6-24-54 and 8-6-54, the defendant caused to be shipped to the holder of the guaranty, at Carthage, N. Y., quantities of washed curd cheese which were adulterated.

**CHARGE:** 402 (a) (3)—contained manure fragments, cow hairs, insect fragments, and rodent hair fragments, and was prepared from filth-contaminated milk; and, 402 (a) (4)—prepared under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 5-3-55. \$250 fine.

**22315. Grated cheese.** (F. D. C. No. 37244. S. Nos. 88-103 L, 88-110 L.)

**INFORMATION FILED:** 2-18-55, E. Dist. Pa., against M. Wildstein & Sons, a partnership, t/a New Yorker Cheese Co., Philadelphia, Pa.

**SHIPPED:** Between 7-16-54 and 7-30-54, from Pennsylvania to Maryland and Virginia.

**LABEL IN PART:** (Jar) "New Yorker Grated Cheese Parmesan Style \* \* \* Net Wt. 2 Oz. Packed by New Yorker Cheese Co. Phila., Pa." and "Stuart Crest Brand Parmesan Style Grated Cheese \* \* \* 14 Oz. Net. Distributed by W. M. Gary Grocery Co., Inc. Richmond, Va."

**CHARGE:** 402 (a) (3)—contained insects and insect parts; and, 402 (a) (4)—prepared under insanitary conditions.

**PLEA:** Nolo contendere.

**DISPOSITION:** 4-28-55. \$300 fine.

#### MISCELLANEOUS DAIRY PRODUCTS

**22316. Ice cream.** (F. D. C. No. 37224. S. No. 63-739 L.)

**INFORMATION FILED:** 2-7-55, S. Dist. Ill., against Miller-Hygrade Ice Cream Co., a corporation, Quincy, Ill., and Elmer H. Miller, president.

SHIPPED: 9-16-54, from Illinois to Missouri.

LABEL IN PART: (Carton) "One Half Gallon Liquid Miller-Hygrade Bulk Vanilla Ice Cream Bulk."

CHARGE: 402 (a) (3)—contained insect fragments; and, 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 5-2-55. \$200 fine.

## EGGS

22317. Frozen eggs. (F. D. C. No. 36592. S. No. 37-566 L.)

INFORMATION FILED: 6-3-55, W. Dist. Mo., against Samuel Jacob Pollman, t/a Sam Pollman Egg Co., Kansas City, Mo., and Milton Pollman, an employee.

SHIPPED: 11-12-53, from Missouri to New York.

LABEL IN PART: (Can) "Packed By Pollman Egg Co. Kansas City, Mo. Whole Eggs Net Weight 30 Lbs."

CHARGE: 402 (a) (3)—contained decomposed eggs when shipped.

PLEA: Guilty.

DISPOSITION: 6-3-55. Samuel Jacob Pollman fined \$1,500 and Milton Pollman \$500.

22318. Frozen eggs. (F. D. C. No. 37214. S. Nos. 82-378/9 L.)

INFORMATION FILED: 1-19-55, N. Dist. Ind., against Sherman White & Co., a corporation, Fort Wayne, Ind.

SHIPPED: Between 3-11-54 and 3-14-54, from Indiana to Pennsylvania.

LABEL IN PART: (Can) "30 Lbs. Net Weight S-W Frozen Eggs Blended White & Yolks [or "X Blended White & Yolks"] Packed By Sherman White & Co. Fort Wayne, Ind."

CHARGE: 402 (a) (3)—contained decomposed eggs when shipped.

PLEA: Nolo contendere.

DISPOSITION: 4-15-55. \$1,000 fine, plus costs.

## FEEDS AND GRAINS

22319. Dog food. (F. D. C. No. 35580. S. No. 73-390 L.)

INFORMATION FILED: 10-13-54, S. Dist. Ill., against the Albers Milling Co., a corporation, Peoria, Ill.

SHIPPED: Between 10-1-52 and 1-1-53, from Illinois to Pennsylvania.

LABEL IN PART: (Box) "Net Wt. 2 Pounds Friskies Dog Food Cubes Albers Milling Company A Division of Carnation Company Kansas City, Mo."

CHARGE: 402 (a) (1)—contained when shipped an added poisonous substance, namely, monofluoroacetate, which may have rendered the article injurious to health.

PLEA: Nolo contendere.

DISPOSITION: 1-10-55. \$100 fine, plus costs.