

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for Cheddar cheese since it contained more moisture and its solids contained less milk fat than provided by the regulations.

DISPOSITION: January 7, 1949. The C. Economou Cheese Corp., claimant, having admitted the allegations of the libel, judgment of condemnation was entered ordering the product released under bond to be reworked and reprocessed under the supervision of the Food and Drug Administration.

13789. Adulteration of feta cheese. U. S. v. 146 Cases (and 3 other seizure actions). (F. D. C. Nos. 18640, 18642, 18643, 18687. Sample Nos. 8071-H to 8073-H, incl., 8329-H, 8330-H.)

LIBELS FILED: On December 12, 13, and 19, 1945, Eastern and Southern Districts of New York.

ALLEGED SHIPMENT: On or about October 2 and November 6, 19, and 21, 1945, by C. Economou, from Hinesburg, Vt.

PRODUCT: Feta cheese. 146 unlabeled kegs and 365 kegs, each containing approximately 150 pounds, at Brooklyn, N. Y.; and 25 unlabeled kegs and 1,094 cartons, each carton containing 12 16-ounce jars, at New York, N. Y.

LABEL, IN PART: (Jars) "Greek Feta Cheese Imported type Pan Brand."

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 insect fragments, rodent hairs, and nondescript dirt; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: On June 26, 1946, Christ Staikos, claimant, agent for the owner, C. Economou, petitioned for the entry of an order removing the proceeding instituted at Brooklyn to the Southern District of New York, and for consolidation with the proceedings instituted in that district. On July 1, 1946, the petition was granted.

On May 19 and August 11, 1947, the claimant having withdrawn his claim for the New York lots, the court ordered the lots condemned and delivered to a Federal institution, for use as stock feed. On or about October 6, 1947, counsel for the claimant filed a motion for the entry of a decree of condemnation, containing a provision for release for export of the goods seized at Brooklyn. The Government opposed such disposition of the product, and the motion was subsequently withdrawn. On February 10, 1948, the cheese seized at Brooklyn was condemned and ordered disposed of for use as salvage fat.

MISCELLANEOUS DAIRY PRODUCTS

13790. Adulteration of cream. U. S. v. 1 Can * * * (and 1 other seizure action). (F. D. C. Nos. 25370, 25374. Sample Nos. 28535-K, 28542-K.)

LIBELS FILED: June 14 and 17, 1948, District of Colorado.

ALLEGED SHIPMENT: On or about June 7, 1948, by Oelke Produce, from Hoxie, Kans., and on or about June 12, 1948, by Lew Waldman, from Grinnell, Kans.

PRODUCT: 2 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, decomposed, and putrid animal substance by reason of the presence of excessive nondescript dirt, a beetle, and an insect leg in the cream shipped from Hoxie, Kans., and excessive nondescript dirt,

a whole, partially decomposed mouse, and rodent hairs in the cream shipped from Grinnell, Kans.

DISPOSITION: July 19 and 28, 1948. Default decrees of condemnation and destruction.

13791. Adulteration of cream. U. S. v. 2 Cans * * *. (F. D. C. No. 25372. Sample No. 28552-K.)

LIBEL FILED: June 28, 1948, District of Colorado.

ALLEGED SHIPMENT: On or about June 23, 1948, by Clyde Adams, from St. Francis, Kans.

PRODUCT: 2 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 excessive nondescript dirt, insect mandibles, moth scales, rodent hairs, and feather barbules.

DISPOSITION: August 3, 1948. The shipper having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

13792. Misbranding of oleomargarine. U. S. v. Gold Leaf Margarine Co., Inc., and Raymond T. Chatham. Pleas of nolo contendere. Fine, \$245. (F. D. C. No. 25285. Sample Nos. 435-K, 437-K, 448-K, 450-K, 453-K, 454-K, 834-K.)

INFORMATION FILED: On or about August 10, 1948, Northern District of Georgia, against Gold Leaf Margarine Co., Inc., Cedartown, Ga., and Raymond T. Chatham, president.

ALLEGED SHIPMENT: On or about January 22, February 4, 8, 19, and 23, and March 8, 1948, from the State of Georgia into the States of North Carolina and Florida.

LABEL, IN PART: (Cartons) "Gold Leaf * * * Oleomargarine One Pound Net."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for oleomargarine since the fat content was less than 80 percent.

Further misbranding, Section 403 (e) (2), a portion of the product failed to bear a label containing an accurate statement of the quantity of the contents. The cartons bore the statement "One Pound Net" or "One Pound Net Weight," whereas they contained less than one pound net.

DISPOSITION: November 15, 1948. Pleas of nolo contendere having been entered, the defendants jointly were fined \$245.

FISH AND SHELLFISH

13793. Adulteration of frozen halibut. U. S. v. 3,595 Pounds * * *. (F. D. C. No. 25484. Sample No. 8734-K.)

LIBEL FILED: August 23, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about July 2, 1948, by Fisherman's Cooperative Federation, from Prince Rupert, British Columbia, Canada.

PRODUCT: 3,595 pounds of frozen halibut at New York, N. Y.