

PRODUCT: 49 cartons, each containing 12 shaker-top cartons, of grated cheese at Oakland, Calif.

LABEL, IN PART: "Riviera Brand Grated Parmesan Cheese Prepared with Parmesan," and "Circle E Sharp Tasty Grated Italian Style Cheese."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of mites and rodent hair fragments.

DISPOSITION: April 13, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8373. Misbranding of grated, Italian type cheese. U. S. v. 7 Cases of Grated Cheese. Default decree of condemnation and destruction. (F. D. C. No. 14188. Sample No. 73539-F.)

LABEL FILED: November 8, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about December 14, 1943, by the Italian Importing Corp., from Brooklyn, N. Y.

PRODUCT: 7 cases, each containing 10 packages of 12 cans each, of grated cheese at San Francisco, Calif.

LABEL, IN PART: "ICCO Brand Grated Argentine Parmesan Type Cheese."

VIOLATION CHARGED: Misbranding, Section 403 (d), the container of the product was so filled as to be misleading, since the cheese occupied an average of about 63.2 percent of the capacity of the can.

DISPOSITION: April 25, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MILK

8374. Adulteration of evaporated milk. U. S. v. The Borden Co. Plea of nolo contendere. Fine, \$250. (F. D. C. No. 12555. Sample No. 58329-F.)

INFORMATION FILED: September 5, 1944, District of Arizona, against the Borden Co., a corporation, Tempe, Ariz.

ALLEGED SHIPMENT: On or about September 20, 1943, from the State of Arizona into the State of New Mexico.

LABEL, IN PART: "Borden's * * * Evaporated Milk."

VIOLATIONS CHARGED: 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, manure-like fibers, a hair resembling cattle hair, a hair resembling rodent or cat hair, and a feather part; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: December 12, 1944. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$250 was imposed.

8375. Adulteration of dried skim milk. U. S. v. 32 Bags of Skim Milk. Default decree of condemnation and destruction. (F. D. C. No. 14998. Sample No. 54664-F.)

LABEL FILED: On or about January 26, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about June 17, 1944, by the Dairyland Milk Corp., from Oelwein, Iowa.

PRODUCT: 32 100-pound bags of dried skim milk at Chicago, Ill.

VIOLATION CHARGED: 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 and rodent hair fragments.

DISPOSITION: March 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8376. Misbranding of skim milk powder. U. S. v. 25 Drums of Skim Milk Powder. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15059. Sample No. 90274-F.)

LABEL FILED: January 16, 1945, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about December 5, 1944, by the Pevely Dairy Co., from St. Louis, Mo.

PRODUCT: 25 drums, each containing approximately 70 pounds, of skim milk powder at East St. Louis, Ill.

LABEL, IN PART: (Portion of drums) "Pevely Roller Process Super Test Skim Milk Powder."

VIOLATIONS CHARGED: Misbranding, Section 403 (g) (1), the product purported to be and was represented as nonfat dry milk solids, or defatted milk solids, a food for which a definition and standard of identity has been prescribed, and it failed to conform to such definition and standard since it was not made from sweet milk of cows but was made from neutralized sour skim milk, and since it contained over 5 percent by weight of moisture; and Section 403 (g) (2), (unlabeled drums only) the label failed to bear the name of the food specified in the definition and standard.

Further misbranding, Section 403 (e) (1), (unlabeled drums only) the product was a food in package form and it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and, Section 403 (e) (2), (all drums) it failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: January 30, 1945. The Pevely Dairy Co., St. Louis, Mo., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for use in stock feeding, under the supervision of an officer of the Federal Security Agency.

EGGS

8377. Adulteration of dried whole eggs. U. S. v. 20 Barrels of Dried Whole Eggs. Default decree of condemnation. Product ordered delivered to a Federal institution, for use as animal feed. (F. D. C. No. 14562. Sample No. 82871-F.)

LABEL FILED: November 21, 1944, Southern District of New York.

ALLEGED SHIPMENT: On or about August 30, 1944, by the Van Vechten Milling Corp., Newark, N. J.

PRODUCT: 20 barrels, each containing 200 pounds, of dried whole eggs at Bronx, N. Y.

LABEL, IN PART: "Spray Dried Whole Egg * * * Samuel Dunkel & Co., Inc. N. Y. C., N. Y."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: February 23, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal institution, for use as animal feed.

8378. Adulteration of dried eggs. U. S. v. 11 Barrels of Dried Eggs. Default decree of condemnation. Product ordered delivered to a public institution, for use as animal feed. (F. D. C. No. 14860. Sample No. 93643-F.)

LABEL FILED: December 27, 1944, District of New Jersey.

ALLEGED SHIPMENT: On or about November 3, 1944, by J. J. Shevelove, agent for the Van Vechten Mfg. Corp., from Brooklyn, N. Y.

PRODUCT: 11 barrels containing approximately 1,800 pounds of dried eggs at Newark, N. J.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: April 2, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, for use as animal feed.

8379. Adulteration of dried whole eggs. U. S. v. 2 Barrels, 7 Barrels, and 13 Barrels of Dried Whole Eggs. Default decree of condemnation. Product ordered delivered to a Federal correctional institution. (F. D. C. No. 15057. Sample Nos. 82874-F to 82876-F, incl.)

LABEL FILED: January 16, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about March 23 and April 5, 1943, by the F. S. C. C., from Brooklyn, N. Y.

PRODUCT: 22 200-pound barrels of dried whole eggs at Jersey City, N. J.

LABEL, IN PART: "Samuel Dunkel and Co. Inc., New York, N. Y."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.