

ALLEGED SHIPMENT: On or about November 23, 1945, by A. Fantis and Co., from New York, N. Y.

PRODUCT: 25 125-pound kegs of cheese at Boston, Mass.

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

DISPOSITION: April 22, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a rendering plant for the recovery of the fat.

9292. Adulteration of cheese. U. S. v. 85 Kegs of Feta Type Cheese. Default decree of condemnation and destruction. (F. D. C. No. 18886. Sample No. 47317-H.)

LIBEL FILED: January 31, 1946, District of Colorado.

ALLEGED SHIPMENT: On or about December 12, 1945, by the Merchants Cold Storage Co., from Chicago, Ill.

PRODUCT: 85 125-pound kegs of cheese at Trinidad, Colo.

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

DISPOSITION: March 20, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS DAIRY PRODUCTS*

9293. Adulteration of ice cream. U. S. v. The Borden Co., William A. Smith, and Elmer Brown. Pleas of not guilty. Tried to the court. Verdict of guilty. Fines, \$350, \$75, and \$75, respectively. (F. D. C. No. 18588. Sample Nos. 25915-H, 25916-H, 25918-H.)

INFORMATION FILED: January 2, 1946, Western District of Texas, against the Borden Co., a corporation, El Paso, Tex., and William A. Smith, plant manager, and Elmer Brown, superintendent of the ice cream department.

ALLEGED SHIPMENT: On or about September 10 and 11, 1945, from the State of Texas into the State of New Mexico.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of fly and cockroach fragments, fragments similar to fly and cockroach fragments, cockroach excreta, rodent hairs, feather barbules, and insect fragments; and, Section 402 (a) (4), it had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 1, 1946. The defendants having entered pleas of nolo contendere, the court directed that pleas of not guilty be entered for each defendant. Jury trial was waived and the case came on for hearing before the court. After consideration of the evidence and arguments of counsel, the court found the defendants guilty as charged and imposed fines of \$350 upon the corporate defendant and \$75 upon each of the individual defendants.

9294. Adulteration of dairy products. U. S. v. The Frink Creamery Co. Plea of nolo contendere. Fine, \$750. (F. D. C. No. 18599. Sample Nos. 26753-H to 26757-H, incl.)

INFORMATION FILED: January 28, 1946, District of Colorado, against the Frink Creamery Co., a corporation, Sanford and Fort Collins, Colo.

ALLEGED SHIPMENT: On or about July 27 and August 8, 1945, from the State of Colorado into the States of New Mexico, Texas, and Wyoming.

Examination showed that the cream contained a whole insect, an insect part, fibers, metallic particles, carbonaceous matter, and nondescript dirt; that the cottage cheese contained nondescript dirt; that the fluid milk contained a feather barbule, plant fibers, and nondescript dirt; and that the condensed skim milk contained an insect fragment, hair similar to rodent hair, feather barbules, and carbonaceous material.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances; and, Section 402 (a) (4), they had

*See also No. 9284.