

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

DISPOSITION: August 7, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9891. Adulteration and misbranding of grated cheese. U. S. v. 15 Cartons of Grated Cheese (and 3 other seizure actions against grated cheese). Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 20479, 20518 to 20520, incl. Sample Nos. 47186-H, 59880-H to 59882-H, incl., 59884-H.)

LIBELS FILED: July 3 and 16, 1946, District of Massachusetts and Northern District of Ohio.

ALLEGED SHIPMENT: On or about May 15, 17, and 20, 1946, by Kurtz Brothers, from Bridgeport, Pa.

PRODUCT: 187 cases of grated cheese at Youngstown, Ohio, and 100 cases of the same product at Worcester, Mass. Examination disclosed that the product contained lactose, indicating the presence of a milk product other than cheese. Sixty-three cartons of the Youngstown lot were short-weight.

LABEL, IN PART: "Magic Chef Grated Italian Parmesan Style Cheese Net Wt. 1½ Ozs."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance high in lactose had been substituted in whole or in part for grated Italian Parmesan style cheese.

Misbranding, Section 403 (a), the label designation, "Grated Italian Parmesan Style Cheese," was false and misleading. Further misbranding, Section 403 (e) (2), 63 cartons of the product at Youngstown failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: August 6 and 23, 1946. Kurtz Brothers, Inc., claimant having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond, conditioned that the lot at Worcester be relabeled and the remaining lots be denatured for use as chicken feed, under the supervision of the Food and Drug Administration.

9892. Adulteration and misbranding of grated cheese. U. S. v. 10 Cases of Grated Cheese. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 19884. Sample No. 65022-H.)

LIBEL FILED: May 7, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about April 2, 1946, by George T. Felici, from Philadelphia, Pa.

PRODUCT: 10 cases, each containing 48 2-ounce jars, of grated cheese at Trenton, N. J. This product contained about 22 percent of lactose, indicating the presence of a milk product other than cheese.

LABEL, IN PART: "Latella's Brand Grated Cheese * * * Packed by G. Latella & Sons Phila Pa."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance high in lactose had been substituted in whole or in part for grated cheese.

Misbranding, Section 403 (a), the label designation "Grated Cheese" was false and misleading since the article contained a milk product other than cheese.

DISPOSITION: June 26, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

9893. Adulteration and misbranding of grated cheese. U. S. v. 3 Cases of Grated Cheese. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 19721. Sample No. 65307-H.)

LIBEL FILED: On or about May 4, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about February 20, 1946, by the New Yorker Cheese Co., from Philadelphia, Pa.

PRODUCT: 3 cases, each containing 24 1-pound cartons, of grated cheese at Atlantic City, N. J. Examination showed that the product contained approximately 20 percent lactose, indicating the presence of a milk product other than cheese.

LABEL, IN PART: "New Yorker Brand Italian Style Grated Cheese."