

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "1 Lb. Net" was false and misleading; and, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The butter was short of the declared weight.)

**DISPOSITION:** August 22, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

### CHEESE

**16576. Adulteration of grated cheese. U. S. v. 4 Cases \* \* \* (and 2 other seizure actions). (F. D. C. Nos. 29325, 29350, 29363. Sample Nos. 79324-K, 79436-K, 79762-K.)**

**LIBELS FILED:** May 17 and June 8 and 20, 1950, District of Massachusetts and District of New Hampshire.

**ALLEGED SHIPMENT:** On or about March 1 and May 11 and 18, 1950, by N. J. Nassikas, Inc., from Barton, Vt.

**PRODUCT:** Grated cheese. 4 cases, each containing 12 jars, at Worcester, Mass., and 24 cartons, each containing 12 jars, at Manchester, N. H.

**LABEL, IN PART:** (Jar) "Nassikas Grated Cheese \* \* \* Contents - ½ Lb."

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

**DISPOSITION:** May 26 and August 15, 1950. Default decrees of condemnation and destruction.

**16577. Adulteration of grated cheese. U. S. v. 48 Jars \* \* \*. (F. D. C. No. 29357. Sample No. 79326-K.)**

**LIBEL FILED:** On or about June 13, 1950, District of New Hampshire.

**ALLEGED SHIPMENT:** On or about May 18, 1950, from Chelsea, Mass. This was a return shipment.

**PRODUCT:** 48 jars of grated cheese at Manchester, N. H.

**LABEL, IN PART:** (Jar) "Nassikas Grated Cheese \* \* \* Contents - ½ Lb."

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

**DISPOSITION:** August 15, 1950. Default decree of condemnation and destruction.

### MISCELLANEOUS DAIRY PRODUCTS

**16578. Adulteration and misbranding of ice cream and ice cream bars. U. S. v. Rose Lawn Dairy, Thomas Conrady, and Henry O. Williams. Pleas of nolo contendere. Defendants jointly fined \$100. (F. D. C. No. 29177. Sample Nos. 61577-K, 70936-K to 70938-K, incl.)**

**INFORMATION FILED:** August 23, 1950, Eastern District of Oklahoma, against the Rose Lawn Dairy, a partnership, Muskogee, Okla., and Thomas Conrady and Henry O. Williams, partners.

**ALLEGED SHIPMENT:** On or about December 2, 1949, and January 30, 1950, from the State of Oklahoma into the State of Arkansas.

**LABEL, IN PART:** "Rose Lawn Strawberry [or "Vanilla" or "Chocolate"] Ice Cream Rose Lawn Dairy, Muskogee, Oklahoma" and "Honey Boy Bar Chocolate Coated Ice Cream Bar Made By Walker Creamery Company Miami, Oklahoma."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted; Section 402 (b) (2), a product containing vegetable fat had been substituted for ice cream; and, Section 402 (b) (4), vegetable fat had been added to, and mixed and packed with, the product so as to reduce its quality.

Misbranding, Section 403 (a), the label designations "Ice Cream" and "Ice Cream Bar" were false and misleading since the products contained vegetable fat.

**DISPOSITION:** September 7, 1950. Pleas of nolo contendere having been entered the court imposed a joint fine of \$100 against the defendants.

**16579. Adulteration of dried skim milk. U. S. v. 17,025 Pounds \* \* \*.**  
(F. D. C. No. 29218. Sample Nos. 70828-K, 70829-K.)

**LIBEL FILED:** May 11, 1950, District of Kansas.

**ALLEGED SHIPMENT:** On or about March 24 and 31, 1950, by the Ashley Milk Co., from Linn, Mo.

**PRODUCT:** 17,025 pounds (78 barrels) of dried skim milk at Kansas City, Kans.

**LABEL, IN PART:** "Human Food—Dried Skim Milk."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article was unfit for food by reason of its obnoxious odor.

**DISPOSITION:** August 10, 1950. The Ashley Milk Co., St. Louis, Mo., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for use in the manufacture of poultry or stock feed, under the supervision of the Federal Security Agency.

## EGGS

**16580. Adulteration of dehydrated eggs. U. S. v. 9 Barrels \* \* \*.** (F. D. C. No. 29349. Sample No. 73742-K.)

**LIBEL FILED:** June 7, 1950, Southern District of New York.

**ALLEGED SHIPMENT:** On or about December 31, 1948, from Terre Haute, Ind.

**PRODUCT:** 9 barrels of dehydrated eggs at New York, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** August 25, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as stock feed.

**16581. Adulteration and misbranding of frozen egg yolks. U. S. v. 15 cans \* \* \*.** (F. D. C. No. 29497. Sample No. 71222-K.)

**LIBEL FILED:** July 21, 1950, Southern District of California.