

Misbranding, Section 403 (a), the label statement "Grated Cheese" was false and misleading since the product did not consist of grated cheese but did consist of a mixture of grated cheese and a product other than cheese.

DISPOSITION: September 24, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$200.

17564. Adulteration of cheese curd. U. S. v. Vineland Cheese Co., a corporation, and Salvatore Maggio (Serafino F. Maggio). Pleas of guilty. Corporation fined \$250. Sentence suspended against individual and individual placed on 2 years' probation. (F. D. C. No. 29111. Sample No. 48621-K.)

INFORMATION FILED: October 10, 1950, District of New Jersey, against the Vineland Cheese Co., Vineland, N. J., and Salvatore Maggio, also known as Serafino F. Maggio.

ALLEGED SHIPMENT: On or about October 21, 1949, from the State of New Jersey into the State of Pennsylvania.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of flies, fly parts, maggots, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 20, 1951. Pleas of guilty having been entered, the corporation was fined \$250. Imposition of sentence was suspended against the individual defendant, and he was placed on probation for a 2-year period.

## EGGS AND EGG PRODUCTS

17565. Adulteration of eggs. U. S. v. Wendell G. Mezick. Plea of guilty. Fine of \$100 and costs. (F. D. C. No. 29608. Sample Nos. 81069-K, 81178-K.)

INFORMATION FILED: August 4, 1950, District of Maryland, against Wendell G. Mezick, Fruitland, Md.

ALLEGED SHIPMENT: On or about May 1, 1950, from the State of Maryland into the State of Pennsylvania.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of decomposed eggs.

DISPOSITION: May 11, 1951. A plea of guilty having been entered, the defendant was fined \$100, together with costs.

17559. Adulteration of butter. U. S. v. 11 Boxes (748 pounds) \* \* \*. (F. D. C. No. 30809. Sample No. 24099-L.)

LABEL FILED: February 23, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about January 22, 1951, by Robert Koch, from Omaha, Nebr.

PRODUCT: 1,360 pounds of whole egg powder in 7 barrels at New York, N. Y.

LABEL, IN PART: (Barrel) "Ben Goldenberg, Inc. 363 Greenwich St., New York, N. Y."

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 splinters, brush fibers, paint fragments, metal fragments, cigarette butts, and other extraneous material.