

Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 8, 1952. Pleas of guilty having been entered, the court imposed a fine of \$100 against each defendant.

MISCELLANEOUS CEREAL

18704. Adulteration of rice. U. S. v. 112 Bags * * *. (F. D. C. No. 32617. Sample No. 27436-L.)

LIBEL FILED: January 29, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about October 31, 1951, from Crowley, La.

PRODUCT: 112 50-pound bags of rice at Oakland, Calif., in possession of the Nanking Noodle Co.

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 rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 19, 1952. The Nanking Noodle Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered. The product subsequently was destroyed.

18705. Adulteration of rice. U. S. v. 24 Bags * * *. (F. D. C. No. 31501. Sample No. 28286-L.)

LIBEL FILED: August 30, 1951, Northern District of California.

ALLEGED SHIPMENT: On or about April 25, 1951, from Houston, Tex.

PRODUCT: 24 100-pound bags of rice at Sacramento, Calif., in possession of the Globe Warehouse Co.

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 rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 31, 1952. Default decree of condemnation and destruction.

DAIRY PRODUCTS

BUTTER

18706. Adulteration of butter. U. S. v. 23 Cases * * *. (F. D. C. No. 32252. Sample No. 22992-L.)

LIBEL FILED: November 6, 1951, Northern District of New York.

ALLEGED SHIPMENT: On or about October 12, 1951, by C. A. Swanson & Sons, from Omaha, Nebr.

PRODUCT: 23 cases, each containing 30 1-pound prints, of butter at Albany, N. Y.

LABEL, IN PART: (Case) "Butter Manufactured by C. A. Swanson & Sons General Office - Omaha, Nebr. 30# Net Tri City, Albany"; (print label)

"1 Pound Net Weight Brookvue Farms Select Cream Country Roll Style Butter Distributed by the Tri-City Produce Co. Inc. Albany, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. (Examination showed that the product contained excessive mold mycelia.)

DISPOSITION: December 14, 1951. Default decree of condemnation and destruction.

18707. Adulteration of butter. U. S. v. 15 Cases * * *. (F. D. C. No. 32031. Sample No. 11896-L.)

LIBEL FILED: October 11, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about September 29, 1951, by the Merchants Creamery Co., from Springfield, Mo.

PRODUCT: 15 50-pound cases of butter at Cincinnati, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 80% by weight of milk fat had been substituted for butter.

DISPOSITION: October 26, 1951. The Merchants Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be reworked under the supervision of the Food and Drug Administration.

CHEESE AND CHEESE PRODUCT

18708. Adulteration of blue cheese. U. S. v. 72 Cartons * * *. (F. D. C. No. 32102. Sample No. 30277-L.)

LIBEL FILED: November 16, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about May 20, 1951, from Aberdeen, S. Dak.

PRODUCT: 72 cartons, each containing 12 1-ounce packages, of blue cheese at Seattle, Wash.

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

DISPOSITION: May 7, 1952. Default decree of condemnation and destruction.

18709. Adulteration and misbranding of grated cheese. U. S. v. 76 Cases * * *. (F. D. C. No. 32377. Sample No. 26728-L.)

LIBEL FILED: December 20, 1951, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 27, 1951, by the Continental Cheese Co., from Trenton, N. J.

PRODUCT: 76 cases, each containing 24 jars, of grated cheese at Philadelphia, Pa. Examination showed that the product was Sardo cheese and that it was short of the declared weight.

LABEL, IN PART: (Jar) "Albor Romano Cheese Italian Style Grated only from imported cheese Net Wt. 2 ozs."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), Sardo cheese had been substituted for Romano cheese, a more expensive variety of cheese.

Misbranding, Section 403 (a), the label designation "Romano Cheese" was false and misleading as applied to Sardo cheese; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.