

20212. Adulteration of swiss cheese. U. S. v. 41 Wheels * * *. (F. D. C. No. 34706. Sample No. 66011-L.)

LIBEL FILED: February 13, 1953, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about December 28, 1952, by the Stauh Cheese & Butter Factory, from Waddams Grove, Ill.

PRODUCT: 41 170-pound wheels of swiss cheese at Monroe, Wis.

LABEL, IN PART: "Illinois Swiss Cheese."

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

DISPOSITION: March 17, 1953. Default decree of forfeiture and destruction. The product was denatured for use as fish bait.

FISH AND SHELLFISH

20213. Adulteration and misbranding of canned mackerel. U. S. v. 50 Cases * * *. (F. D. C. No. 34639. Sample No. 44607-L.)

LIBEL FILED: January 30, 1953, District of Maine.

ALLEGED SHIPMENT: On or about November 25, 1952, by Sun-Pacific, Inc., from San Francisco, Calif.

PRODUCT: 50 cases, each containing 48 15-ounce cans, of mackerel at Portland, Maine.

LABEL, IN PART: (Can) "Sultana Brand Mackerel."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), horse mackerel (jack mackerel) had been substituted in whole or in part for Pacific mackerel.

Misbranding, Section 403 (a), the label statement "Mackerel" and the vignette on the label depicting Pacific mackerel were false and misleading as applied to the article, which was horse mackerel (jack mackerel); and, Section 403 (i) (1), the label failed to bear the common or usual name of the food.

DISPOSITION: March 30, 1953. Franco-Italian Packing Co., Inc., Los Angeles, Calif., 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 to be relabeled under the supervision of the Food and Drug Administration.

20214. Adulteration of frozen red snappers. U. S. v. 584 Pounds * * *. (F. D. C. No. 34589. Sample No. 50038-L.)

LIBEL FILED: January 8, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about December 1, 1952, from Mobile, Ala.

PRODUCT: 584 pounds of frozen red snappers at New York, N. Y.

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

DISPOSITION: February 24, 1953. Default decree of condemnation and destruction.