

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the use of decomposed cream in its manufacture.

**DISPOSITION:** September 9, 1954. The Fairmont Foods Co., 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 conversion into butter oil and the purification of such oil so as to render it wholesome and proper for use as an ingredient in ice cream or other food products, under the supervision of the Department of Health, Education, and Welfare.

### CHEESE

**21623. Adulteration of grated cheese. U. S. v. 9 Cases \* \* \*. (F. D. C. No. 36875. Sample No. 80896-L.)**

**LIBEL FILED:** July 7, 1954, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about June 7, 1954, by the P. Gambardella & Son Cheese Corp., from New Haven, Conn.

**PRODUCT:** 9 cases, each containing 24 jars, of grated cheese at Springfield, Mass.

**LABEL, IN PART:** (Jar) "Net Weight 4 Oz. Gambardella Italian Style Grated Cheese Blended Imported and Domestic Romano Cheese."

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

**DISPOSITION:** August 9, 1954. Default decree of condemnation and destruction.

### EGGS

**21624. Adulteration of frozen eggs. U. S. v. 145 Cans \* \* \*. (F. D. C. No. 36817. Sample No. 52184-L.)**

**LIBEL FILED:** June 3, 1954, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about April 26, 1954, by Nichols & Co., from Bushnell, Ill.

**PRODUCT:** 145 30-pound cans of frozen eggs at Brooklyn, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

**DISPOSITION:** June 29, 1954. Dexter Bishop Co., Inc., New York, N. Y., 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 segregation and denaturing of the unfit portion under the supervision of the Department of Health, Education, and Welfare. 15 cans of the product were found unfit and were denatured.

**21625. Adulteration of frozen eggs. U. S. v. 85 Cans \* \* \*. (F. D. C. No. 36768. Sample No. 81966-L.)**

**LIBEL FILED:** June 16, 1954, District of Nebraska.

**ALLEGED SHIPMENT:** On or about May 12, 1954, by the Ocoma Foods Co., from Carroll, Iowa.

PRODUCT: 85 30-pound cans of frozen eggs at Omaha, Nebr.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: July 29, 1954. Default decree of condemnation and destruction.

21626. Adulteration of frozen eggs. U. S. v. 52 Cans \* \* \*. (F. D. C. No. 37020. Sample No. 52197-L.)

LIBEL FILED: July 28, 1954, Southern District of New York.

ALLEGED SHIPMENT: On or about July 9, 1954, by the A & L Egg Co., from Englewood, N. J.

PRODUCT: 52 30-pound cans of frozen eggs at Bronx, N. Y.

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 fly parts, and of a decomposed substance by reason of the presence of decomposed eggs; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 17, 1954. Default decree of condemnation and destruction.

## FISH AND SHELLFISH

21627. Adulteration of anchovies in olive oil. U. S. v. 59 Cases \* \* \*. (F. D. C. No. 37049. Sample No. 49766-L.)

LIBEL FILED: August 16, 1954, Southern District of New York.

ALLEGED SHIPMENT: Sometime during 1948, or prior thereto, from Chile.

PRODUCT: 59 cases, each containing 48 5-ounce jars, of anchovies in olive oil 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: September 3, 1954. Default decree of condemnation and destruction.

21628. Adulteration of frozen butterfish. U. S. v. 440 Pounds \* \* \*. (F. D. C. No. 36853. Sample No. 72069-L.)

LIBEL FILED: June 28, 1954, Southern District of New York.

ALLEGED SHIPMENT: On or about August 19, 1953, from Provincetown, Mass.

PRODUCT: 440 pounds of frozen butterfish 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 by reason of the presence of decomposed fish. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 22, 1954. Default decree of condemnation and destruction.

21629. Adulteration of frozen fish (chubs). U. S. v. 700 Pounds \* \* \*. (F. D. C. No. 36870. Sample No. 58357-L.)

LIBEL FILED: July 8, 1954, Southern District of New York.

ALLEGED SHIPMENT: Prior to January 11, 1954, from Washington Island, Wis.

PRODUCT: 700 pounds of frozen fish (chubs) in 8 boxes at New York, N. Y.