

**LABEL, IN PART:** "Borden's Silver Cow Pearl Brand Irradiated Evaporated Milk."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** July 10, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6093. Adulteration of Cheddar cheese. U. S. v. Armour & Co. of Delaware (Armour Creameries). Plea of guilty. Fine, \$250 (F. D. C. No. 10578. Sample No. 5900-F).**

**INFORMATION FILED:** On December 7, 1943, in the Northern District of Mississippi, against Armour & Co. of Delaware, a corporation, trading as the Armour Creameries at Senatobia, Miss.

**ALLEGED SHIPMENT:** On or about March 31, 1943, from the State of Mississippi into the State of Tennessee.

**LABEL, IN PART:** (On portions) "Cloverbloom" or "Mississippi."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rat or mouse hairs, insect fragments, pellets of insect excrement, plant fragments, and dirt particles; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** June 5, 1944. A plea of guilty was entered and the defendant was fined \$250.

**6094. Adulteration of cheese. U. S. v. 3 Cases of Langlois Blue Veined Cheese. Default decree of condemnation and destruction. (F. D. C. No. 12502. Sample No. 74409-F.)**

**LABEL FILED:** June 3, 1944, Western District of Washington.

**ALLEGED SHIPMENT:** On or about April 28, 1944, by the Langlois Cheese Makers, Coquille, Oreg.

**PRODUCT:** 3 cases, each containing 6 5-pound cheeses, at Tacoma, Wash.

**LABEL, IN PART:** "Langlois Blue Veined Cheese, Langlois Cheese Makers State Brand."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance, maggots.

**DISPOSITION:** July 5, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6095. Adulteration and misbranding of grated cheese. U. S. v. 34 Cartons of Grated Cheese. Default decree of condemnation and destruction. (F. D. C. No. 12174. Sample No. 50974-F.)**

**LABEL FILED:** April 13, 1944, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about February 18, 1944, by Wm. Faehndrich, Inc., from New York, N. Y.

**PRODUCT:** Grated cheese, 34 cartons, each containing 12 canisters, at Hazleton, Pa.

**LABEL, IN PART:** (Canisters) "Famous Brand \* \* \* Grated \* \* \* Cheese (Italian Style Cheese) \* \* \* 15% Added Milk Solids [or "Added Milk Solids," or "An All Cheese Product"]."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs; Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it might have become contaminated with filth; Section 402 (b) (2), a substance, grated cheese which contained about 40 percent added "nonfat dry milk solids" or "defatted milk solids" (dried skim milk), had been substituted for grated cheese, which the article purported to be; and, Section 402 (b) (4), "nonfat dry milk solids" or "defatted milk solids" had been added or mixed or packed with the product so as to reduce its quality or strength.

Misbranding, Section 403 (a), the labeling, "Grated \* \* \* Cheese \* \* \* 15% Added Milk Solids," and "Grated \* \* \* Cheese \* \* \* An All Cheese Product," was false and misleading as applied to an article which contained about 40 percent added "nonfat dry milk solids" or "defatted milk solids"; and Section 403 (i) (2), the article in the cans labeled "An All Cheese Product" was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient since the presence of "nonfat dry milk solids" or "defatted milk solids" was not declared.

**DISPOSITION:** September 5, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

### EGGS

**6096. Adulteration of frozen whole eggs. U. S. v. 258 Cans, 268 Cans, and 391 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released upon deposit of cash collateral or bond. (F. D. C. No. 12674. Sample Nos. 82144-F to 82146-F, incl.)**

**LIBEL FILED:** June 15, 1944, District of New Jersey.

**ALLEGED SHIPMENT:** From April 11 to 14, 1944, by Nathan Erlich, Inc., from New York, N. Y.

**PRODUCT:** 917 cans of frozen whole eggs at Jersey City, N. J.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** August 7, 1944. The Montrose Industrial Bank having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released upon deposit of cash collateral or execution of a bond, conditioned that the unfit portion be segregated and destroyed or denatured under the supervision of the Food and Drug Administration, and disposed of for technical or industrial purposes.

**6097. Adulteration of frozen whole eggs. U. S. v. 23 Cans of Frozen Whole Eggs. Default decree of condemnation. Product ordered sold and denatured. (F. D. C. No. 11924. Sample No. 6190-F.)**

**LIBEL FILED:** February 28, 1944, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about May 3, 1943, by Swift & Co., from Wichita, Kans.

**PRODUCT:** 23 cans of frozen whole eggs at St. Louis, Mo.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of decomposed eggs.

**DISPOSITION:** June 8, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, to be denatured so that it could not be used for human consumption.

**6098. Adulteration of frozen whole eggs. U. S. v. 200 Containers of Frozen Whole Eggs. Default decree of condemnation and destruction. (F. D. C. No. 11824. Sample No. 51279-F.)**

**LIBEL FILED:** February 17, 1944, District of Maine.

**ALLEGED SHIPMENT:** On or about December 9, 1943, by the Fairmont Creamery Co., from Omaha, Nebr.

**PRODUCT:** 200 18-pound containers of frozen whole eggs at Portland, Maine.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** March 9, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6099. Adulteration of frozen whole eggs. U. S. v. 108 Cans of Frozen Whole Eggs. Default decree of condemnation. Product ordered separated, the edible portion to be delivered to the Veterans' Administration, and the unfit portion destroyed. (F. D. C. No. 11061. Sample No. 38828-F.)**

**LIBEL FILED:** November 4, 1943, Northern District of Illinois.

**ALLEGED SHIPMENT:** October 15, 1943, by the Marshfield Dairy Products Co., from Marshfield, Wis.

**PRODUCT:** 108 cans of frozen whole eggs at Chicago, Ill.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** June 2, 1944. No claimant having appeared, the product was ordered separated into edible and unfit portions, the latter to be destroyed and the edible portion to be delivered to the Veterans' Administration.

**6100. Adulteration of frozen whole eggs. U. S. v. 396 Cartons of Frozen Eggs. Consent decree of condemnation. Product ordered released, upon the deposit of cash collateral, for segregation of the good portion from the bad. (F. D. C. No. 12869. Sample No. 49691-F.)**

**LIBEL FILED:** July 5, 1944, Western District of New York.