

ALLEGED SHIPMENT: On or about August 26, 1948, by the Lake Como Coop. Cheese Factory, from Hokah, Minn.

PRODUCT: 71 boxes each containing 1 75-pound Cheddar cheese at Viroqua, Wis.

LABEL, IN PART: "Minnesota Colored Cheddar."

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

DISPOSITION: November 16, 1948. The Lake Como Cooperative Cheese Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be disposed of for some purpose not contrary to the law, under the supervision of the Federal Security Agency. The product was subsequently denatured with fish oil.

14584. Adulteration of Cheddar cheese. U. S. v. 40 Cheeses. (F. D. C. No. 25024. Sample No. 6705-K.)

LABEL FILED: July 8, 1948, Western District of New York.

ALLEGED SHIPMENT: On or about January 28, 1948, from Plymouth, Wis.

PRODUCT: 150 pounds of Cheddar cheese at Rochester, N. Y., in possession of Wegman's Food Markets, Inc.

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

DISPOSITION: January 19, 1949. Wegman's Food Markets, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

On April 22, 1949, the decree was amended to provide for destruction of the cheeses and the trimming off of all unfit portions of the others. The salvaging operations resulted in the destruction of 125 pounds of trimmings and 1 150-pound cheese.

14585. Adulteration of Balconico cheese. U. S. v. 26 Barrels \* \* \* (and 1 other seizure action). (F. D. C. Nos. 26430, 26621. Sample Nos. 11502-K, 11513-K.)

LABELS FILED: January 26 and March 11, 1949, Eastern and Southern Districts of New York.

ALLEGED SHIPMENT: On or about March 16, 1948, by Jose A. Montemayor E. Hijos, from Laredo, Tex.

PRODUCT: Balconico cheese. 26 barrels at Brooklyn, N. Y., and 44 barrels at New York, N. Y. Each barrel contained approximately 172 pounds.

LABEL, IN PART: "Product of Mexico A.G.S. T.P. Co. New York.

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 fragments and rodent hair fragments.

**DISPOSITION:** April 8 and 22, 1949. Default decrees of condemnation. The product was ordered destroyed after withdrawal of samples by the Food and Drug Administration.

### OLEOMARGARINE

14586. Adulteration and misbranding of oleomargarine. U. S. v. 72 Cartons, etc. (and 2 other seizure actions). (F. D. C. Nos. 24356, 24363, 24394. Sample Nos. 435-K, 448-K, 450-K, 834-K.)

**LIBELS FILED:** February 25 and March 19 and 30, 1948, Middle District of North Carolina and Southern District of Florida.

**ALLEGED SHIPMENT:** On or about January 22 and February 4, 8, 19, and 23, 1948, by Gold Leaf Margarine Co., Inc., from Cedartown, Ga.

**PRODUCT:** Oleomargarine. 706 cartons at Hillsboro, N. C., and 302 cases, each containing 30 cartons, at Tampa, Fla.

**LABEL, IN PART:** (Carton) "Gold Leaf Vegetable Oleomargarine One Pound Net Weight."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent of fat had been substituted for oleomargarine.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for oleomargarine since it contained less than 80 percent of fat. Further misbranding, Section 403 (e) (2), (portion) the product failed to bear a label containing an accurate statement of the quantity of the contents. (Samples taken from two lots consisting of 508 cartons at Hillsboro were found to contain less than 1 pound, the labeled weight.)

**DISPOSITION:** On March 20, 1948, the Gold Leaf Margarine Co., Inc., claimant for the Tampa lot, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be reprocessed and brought into compliance with the law, under the supervision of the Federal Security Agency. On March 29 and May 6, default decrees of condemnation were entered with respect to the Hillsboro lots, and the product was ordered delivered to charitable institutions.

14587. Adulteration and misbranding of oleomargarine. U. S. v. 78 Cartons, etc. (F. D. C. No. 24699. Sample Nos. 453-K, 454-K.)

**LABEL FILED:** March 31, 1948, Middle District of North Carolina.

**ALLEGED SHIPMENT:** On or about March 8, 1948, by the Gold Leaf Margarine Co., Inc., from Cedartown, Ga.

**PRODUCT:** 156 1-pound cartons of oleomargarine at Hillsboro, N. C.

**LABEL, IN PART:** "Gold Leaf Vegetable Oleomargarine."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent fat had been substituted for oleomargarine.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for oleomargarine since it contained less than 80 percent of fat.

**DISPOSITION:** May 5, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

### EGGS

14588. Adulteration of frozen whole eggs. U. S. v. 380 Cans \* \* \*. (F. D. C. No. 26481. Sample No. 37773-K.)