

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance high in lactose had been substituted in whole or in part for grated cheese.

Misbranding, Section 403 (a), the name "Grated Cheese" was false and misleading as applied to an article which contained a milk product other than cheese; Section 403(e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (the article was short of the declared weight); and, Section 403(i) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: March 12 and April 2, 1951. Default decrees of condemnation and destruction.

17170. Adulteration and misbranding of processed cheese food. U. S. v. 5 Cases, etc. (F. D. C. No. 30122. Sample No. 85047-K.)

LABEL FILED: November 17, 1950, Western District of Virginia.

ALLEGED SHIPMENT: On or about October 20, 1950, by H. M. Scott, Inc., from Sweetwater, Tenn.

PRODUCT: Processed cheese food. 5 cases, each containing 15 2-pound packages, and 7 cases, each containing 6 5-pound packages, at Bristol, Va.

LABEL, IN PART: (Portion) "Scott's Mountain Dale Processed Cheese Food Net Weight 2 Lbs. 45% Fat, Water Free Minimum, 45% Moisture Maximum"; (remainder) "Scott's Mountain Dale Processed Cheese Food Net Weight 5 Lbs. 30% Fat, Water Free Minimum, 41% Moisture Maximum."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing more moisture and less fat than declared on the labels had been substituted in whole or in part for the product.

Misbranding, Section 403 (a), the label statements (2-pound size) "45% Fat, Water Free Minimum, 45% Moisture Maximum" and (5-pound size) "30% Fat, Water Free Minimum, 41% Moisture Maximum" were false and misleading since the product contained more moisture and less fat than the stated amounts.

DISPOSITION: January 20, 1951. Default decree of condemnation and destruction.

FISH AND SHELLFISH

17171. Adulteration of canned mackerel. U. S. v. 601 Cases * * *. (F. D. C. No. 30453. Sample No. 82110-K.)

LABEL FILED: December 22, 1950, Middle District of Georgia.

ALLEGED SHIPMENT: On or about November 2, 1950, by E. W. & George Rawlins, from Wilmington, Calif.

PRODUCT: 601 cases, each containing 48 15-ounce cans, of mackerel at Albany, Ga.

LABEL, IN PART: "Cal-Cap Brand California Jack Mackerel * * * Packed By Cal Cap Fisheries Inc. Wilmington Calif."

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

DISPOSITION: January 17, 1951. Default decree of condemnation and destruction.