

less than 50 percent of milk fat, the minimum milk fat provided by the standard, and a portion contained more than 39 percent of moisture, the maximum provided by the standard.

**DISPOSITION:** December 18, 1951. The actions having been consolidated and Cabot Farmers' Cooperative Creamery Co., Inc., and Wilson & Co. having intervened as claimants for the respective portions of the product, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that the substandard portion be segregated from the portion that conformed with the standard and be reworked into pasteurized cheese. Of the 1,150 flats that were seized, 443 were found to conform with the standard, and the remainder were reprocessed to bring them up to the standard.

**18371. Misbranding of process cheese. U. S. v. 42 Boxes, etc. (F. D. C. No. 32210. Sample Nos. 26656-L, 26657-L.)**

**LABEL FILED:** December 4, 1951, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 13 and 19, 1951, by Sunette Foods, Inc., from New York, N. Y.

**PRODUCT:** Process cheese. 42 5-pound boxes and 36 6-pound boxes at Philadelphia, Pa.

**LABEL, IN PART:** "Sunette Brand [or "Meadow Brands"] Pasteurized Process American Cheese."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for pasteurized process American cheese since it contained in its solids less than 50% of milk fat.

**DISPOSITION:** March 26, 1952. The shipper 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 reprocessed under the supervision of the Food and Drug Administration.

#### MISCELLANEOUS DAIRY PRODUCT

**18372. Misbranding of evaporated milk. U. S. v. 448 Cases \* \* \*. (F. D. C. No. 31897. Sample No. 2925-L.)**

**LABEL FILED:** October 15, 1951, Southern District of West Virginia.

**ALLEGED SHIPMENT:** On or about April 12, 1951, by the Nashville Milk Co., from Nashville, Ill.

**PRODUCT:** 448 cases, each containing 48 cans, of evaporated milk at Ripley, W. Va.

**LABEL, IN PART:** (Can) "Forest Park Brand Evaporated Milk Net Weight 14½ Oz. Equiv. 13 Oz. Liquid."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article was in package form and failed to bear a label containing an accurate statement of the quantity of the contents. (The article was found to be short of the declared weight and volume).

**DISPOSITION:** November 29, 1951. The Nashville Milk 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, conditioned that it be brought into compliance with the law, under the supervision of the Federal

Security Agency. The cans of the product were weighed, and those under the declared weight were recanned.

## EGGS AND EGG PRODUCTS

**18373. Adulteration of frozen eggs. U. S. v. 125 Cans \* \* \*. (F. D. C. No. 31526. Sample No. 7205-L.)**

**LIBEL FILED:** September 12, 1951, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about July 4, 1951, by the Monark Egg Corp., from Kansas City, Mo.

**PRODUCT:** 125 30-pound cans of frozen eggs at Pittsburgh, Pa.

**LABEL, IN PART:** "Monark Brand Eggs Mixed Eggs."

**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:** December 3, 1951. The Monark Egg Corp. having appeared as claimant and 65 cans of frozen eggs having been found to be adulterated, judgment of condemnation was entered with respect to the 65 cans. The court ordered that the product be released under bond, conditioned that the unfit eggs be denatured and destroyed.

**18374. Adulteration of frozen egg yolks. U. S. v. 68 Cans \* \* \*. (F. D. C. No. 32576. Sample No. 38020-L.)**

**LIBEL FILED:** March 7, 1952, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about December 7, 1951, by Leeway Motor Freight, from St. Louis, Mo.

**PRODUCT:** 68 30-pound cans of frozen egg yolks at Brooklyn, N. Y.

**LABEL, IN PART:** "Frozen Egg Yolks \* \* \* Packed By Harp Foods Mfg. Co. Shawnee, Okla."

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

**DISPOSITION:** April 22, 1952. Default decree of condemnation. The court ordered that samples be delivered to the Food and Drug Administration and that the remainder be destroyed.

**18375. Adulteration of dried egg skimmings. U. S. v. 5 Barrels \* \* \*. (F. D. C. No. 32147. Sample No. 37542-L.)**

**LIBEL FILED:** November 16, 1951, Southern District of New York.

**ALLEGED SHIPMENT:** On or about October 5, 1951, by the Ocoma Food Co., from Omaha, Nebr.

**PRODUCT:** 5 190-pound barrels of dried egg skimmings at New York, N. Y.

**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 insects.

**DISPOSITION:** December 4, 1951. Default decree of condemnation and destruction.

## FISH AND SHELLFISH

**18376. Adulteration of whiting. U. S. v. 663 Boxes \* \* \*. (F. D. C. No. 32198. Sample No. 1564-L.)**

**LIBEL FILED:** On or about December 5, 1951, Northern District of Georgia.