

Misbranding, Section 403 (a), the label designation "Butter" was false and misleading since the product was colored oleomargarine.

DISPOSITION: December 10, 1951. Default decree of condemnation. The court ordered that samples of the product be delivered to the Food and Drug Administration, and that the remainder be destroyed.

CHEESE

18459. Adulteration of process cheese. U. S. v. 60 Cases * * *. (F. D. C. No. 32206. Sample No. 37210-L.)

LABEL FILED: November 30, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about January 30, 1950, from Helsinki, Finland.

PRODUCT: 60 cases, each case containing 72 6-ounce cartons, of process cheese 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 mites. The product was adulterated while held for sale after shipment in interstate commerce.

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

18460. Adulteration and misbranding of process cheese. U. S. v. 252 Packages * * *. (F. D. C. No. 32524. Sample No. 16464-L.)

LABEL FILED: On or about February 19, 1952, Western District of Missouri.

ALLEGED SHIPMENT: On or about December 21, 1951, from Green Bay, Wis.

PRODUCT: 252 ½-pound packages of process cheese at Kansas City, Mo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance, dehydroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of the food and can be avoided by good manufacturing practice.

Misbranding, Section 403 (g) (1), the product purported to be and was represented as "Pasteurized Process Swiss Blended With American Cheese," a food for which a definition and standard of identity has been prescribed by regulations, and it failed to conform to the standard since it contained dehydroacetic acid, which is not a permitted ingredient.

The product was adulterated and misbranded while held for sale after shipment in interstate commerce. (The product was sliced and then wrapped with dehydroacetic acid-treated wrappers, and examination disclosed that it contained dehydroacetic acid.)

DISPOSITION: May 8, 1952. Default decree of destruction.

FISH AND SHELLFISH

18461. Adulteration of frozen red snappers. U. S. v. 808 Pounds * * *. (F. D. C. No. 32232. Sample No. 23236-L.)

LABEL FILED: On or about December 14, 1951. Southern District of New York.

ALLEGED SHIPMENT: On or about November 3, 1951, by J. D. Holmes, from Panama City, Fla.

PRODUCT: 808 pounds of frozen red snappers at New York, N. Y.

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

DISPOSITION: February 27, 1952. Default decree of condemnation. The court ordered that samples of the product be delivered to the Food and Drug Administration and that the remainder be destroyed.

18462. Adulteration and misbranding of oysters. U. S. v. 600 Cans * * *
(F. D. C. No. 32171. Sample Nos. 4385-L, 4386-L.)

LIBEL FILED: November 21, 1951, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about November 15, 1951, by W. E. Riggin & Co., from Crisfield, Md.

PRODUCT: 600 cans of oysters at Charleston, W. Va.

LABEL, IN PART: (465 Cans) "Oysters Selects One Pint Rigco Brand" or (144 Cans) "Oysters Standards One Pint Rigco Brand."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

Misbranding, Section 403 (g) (1), the oysters failed to meet the definition and standard of identity for oysters since they were not thoroughly drained and since they were in contact with water for more than 30 minutes after leaving the shucker.

DISPOSITION: January 2, 1952. Default decree of condemnation and destruction.

18463. Adulteration and misbranding of oysters. U. S. v. 432 Cans * * *
(F. D. C. No. 32176. Sample No. 4000-L.)

LIBEL FILED: November 23, 1951, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 16, 1951, by the Crisfield Supply Co., from Crisfield, Md.

PRODUCT: 432 1-pint cans of oysters at Bradford, Pa.

LABEL, IN PART: "Oysters Standards."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

Misbranding, Section 403 (g) (1), the oysters failed to meet the definition and standard of identity for oysters since they were not thoroughly drained and since they were in contact with water for more than 30 minutes after leaving the shucker.

DISPOSITION: December 19, 1951. Default decree of condemnation and destruction.