

8882. Adulteration of evaporated milk. U. S. v. 2,142 Cases of Evaporated Milk. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15754. Sample No. 216-H.)

LIBEL FILED: April 11, 1945, Eastern District of North Carolina.

ALLEGED SHIPMENT: On or about October 27, 1944, by the Fireproof Storage and Van Co., from Knoxville, Tenn.

PRODUCT: 2,142 cases, each containing 48 cans, of evaporated milk at Raleigh, N. C. The product had been damaged by flood prior to its shipment from Knoxville. When it was examined, it was found to be undergoing progressive decomposition.

LABEL, IN PART: (Cans) "Pet Irradiated Evaporated Milk."

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

DISPOSITION: June 18, 1945. James Heonis, Raleigh, N. C., claimant, having admitted the material allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be destroyed or brought into compliance with the law, under the supervision of the Food and Drug Administration.

8883. Adulteration of nonfat dry milk solids. U. S. v. 370 Barrels of Non-Fat Dry Milk Solids. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15709. Sample No. 5985-H.)

LIBEL FILED: March 16, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about January 30, 1945, by the Calder Creamery Co., from Craig, Colo.

PRODUCT: 370 150-pound barrels of nonfat dry milk solids 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 insect fragments, feather barbules, and hair; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 17, 1945. H. L. Barker & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured for use as poultry or animal feed, under the supervision of the Federal Security Agency.

8884. Adulteration of American Spread. U. S. v. 994 Boxes of American Spread. Default decree of condemnation and destruction. (F. D. C. No. 14489. Sample No. 54667-F.)

LIBEL FILED: On or about December 8, 1944, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 13, 1944, by the Conestoga Cream and Cheese Manufacturing Corporation, from Lima, Ohio.

PRODUCT: 994 3-pound boxes of American Spread at Chicago, Ill.

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

DISPOSITION: March 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8885. Adulteration and misbranding of oleomargarine. U. S. v. 238 Cases of Oleomargarine. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15202. Sample No. 22516-H.)

LIBEL FILED: February 9, 1945, Western District of Tennessee.

ALLEGED SHIPMENT: On or about January 11, 1945, by the Miami Margarine Co., from Cincinnati, Ohio.

PRODUCT: 238 cases, each containing 30 1-pound cartons, of oleomargarine at Memphis, Tenn.

LABEL, IN PART: "Table Grade Nu-Maid Vegetable Oleomargarine."

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

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