

9856. Adulteration of chocolate-flavored sirup. U. S. v. 90 Cases of Chocolate Flavored Syrup. Default decree of condemnation and destruction. (F. D. C. No. 17542. Sample No. 58011-H.)

LIBEL FILED: February 23, 1946, Eastern District of Washington.

ALLEGED SHIPMENT: On or about July 20 and August 2, 1945, by J. B. Robinson, from Cleveland, Ohio.

PRODUCT: 90 cases, each containing 24 1-pound jars, of chocolate-flavored sirup at Yakima, Wash.

LABEL, IN PART: "Rich Chocolate Flavored Syrup."

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 rodent hair fragments, insects, and insect fragments.

DISPOSITION: March 22, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

SIRUP AND SUGAR

9857. Adulteration and misbranding of sugar cane sirup. U. S. v. 1 Drum and 44 Cases of Sugar Cane Syrup. Default decree of condemnation and destruction. (F. D. C. No. 20514. Sample No. 65220-H.)

LIBEL FILED: July 10, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 19, 1946, by the Commodity Sales Co., Chicago, Ill.

PRODUCT: 1 unlabeled drum and 44 cases, each case containing 24 1-pint jars, of sugar cane sirup at Philadelphia, Pa. The portion in the cases had been shipped in unlabeled drums and repacked. The product was invoiced as "Sugar Cane Syrup," but examination showed that it was molasses.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), molasses had been substituted in whole or in part for sugar cane sirup, which the product was represented to be.

Misbranding, Section 403 (b), the product was offered for sale under the name of another food, sugar cane sirup; Section 403 (e) (1) and (2), it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (1), its label failed to bear the common or usual name of the food.

DISPOSITION: August 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9858. Adulteration of sugar. U. S. v. 547 Bags of Sugar. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19841. Sample No. 1266-H.)

LIBEL FILED: May 6, 1946, Middle District of Georgia.

ALLEGED SHIPMENT: On or about June 1, 1945, from Tampa, Fla.

PRODUCT: 547 100-pound bags of sugar at Haddock, Ga., in possession of the Cherokee Products Co. The product had been stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent excreta and urine.

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 rodent excreta and urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 14, 1946. The Cherokee Products Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered. The product was ordered released under bond, conditioned that the contaminated portion be segregated and brought into compliance with the law by passing it through the complete sugar refining processes, under the supervision of the Federal Security Agency.

9859. Adulteration of sugar. U. S. v. 214 Bags of Sugar. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 20039. Sample No. 59331-H.)

LIBEL FILED: May 24, 1946, Western District of Washington.

ALLEGED SHIPMENT: On or about July 28, 1945, from Nyssa, Oreg.

PRODUCT: 214 100-pound bags of sugar at Puyallup, Wash.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3).

DISPOSITION: July 12, 1946. Farmer's Cooperative Union, Inc., Puyallup, Wash., 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.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 9860 and 9861; that was below the standard for milk fat content, Nos. 9862 to 9883; and that was short of the declared weight, Nos. 9884 and 9885.

9860. Adulteration of butter. U. S. v. 20 Cases and 45 Cases of Butter. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 19982, 19984. Sample Nos. 49265-H, 49285-H.)

LIBELS FILED: April 22 and 29, 1946, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about April 15 and 22, 1946, by the Sugar Creek Creamery Co., from Russellville, Ark.

PRODUCT: 65 32-pound cases of butter at New Orleans, La. Analysis showed that the product contained mold.

LABEL, IN PART: "Cudahy's Sunlight Creamery Butter * * * The Cudahy Packing Co.," or "Velva Brand Creamery Butter Distributed by H. G. Hill Store, New Orleans, La."

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

DISPOSITION: June 20, 1946. The Sugar Creek Creamery Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product, with the exception of 1 churn, was ordered released under bond to be reworked into butter oil, under the supervision of the Food and Drug Administration.

9861. Adulteration of butter. U. S. v. 340 Pounds of Butter. Default decree of condemnation. Product ordered used in the manufacture of soap. (F. D. C. No. 20285. Sample No. 40324-H.)

LIBEL FILED: May 27, 1946, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about May 17, 1946, by the Armour & Co. Creamery, from Springfield, Mo.

PRODUCT: 340 pounds of butter at National Stock Yards, Ill. This product contained excessive mold.

LABEL, IN PART: "Armour's Cloverbloom Butter."

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

DISPOSITION: June 26, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered used in the manufacture of soap, under the supervision of the United States marshal.

9862. Adulteration of butter. U. S. v. Martin A. Nielson (Hardy North Nielson Creamery). Plea of guilty. Fine, \$150. (F. D. C. No. 16604. Sample Nos. 83096-F, 97620-F, 97917-F, 5641-H.)

INFORMATION FILED: April 22, 1946, District of Minnesota, against Martin A. Nielson, trading as the Hardy North Nielson Creamery, at Thief River Falls, Minn.

ALLEGED SHIPMENT: On or about October 30 and December 14, 1944, from the State of Minnesota into the State of New York.

LABEL, IN PART: "Penn Blue Ridge Dairy * * * New York City Butter."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the product; and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: June 4, 1946. A plea of guilty having been entered, the defendant was fined \$150.