

**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 excreta and rodent hairs; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** June 10, 1949. Default decree of condemnation and destruction.

**15078. Misbranding of cream mints. U. S. v. 180 Boxes \* \* \*. (F. D. C. No. 27198. Sample No. 5236-K.)**

**LABEL FILED:** May 9, 1949, District of Maine.

**ALLEGED SHIPMENT:** On or about April 21, 1949, by the Gessis Candy Co., from Somersworth, N. H.

**PRODUCT:** 180 boxes of cream mints at Biddeford, Maine.

**LABEL, IN PART:** "Ginny's Cream Mints Net Weight 8 Oz."

**NATURE OF CHARGE:** Misbranding, 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-weight.)

**DISPOSITION:** September 20, 1949. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

**15079. Misbranding of chocolate filled cigarettes. U. S. v. 2 Boxes, etc. (F. D. C. No. 25980. Sample Nos. 4098-K, 4099-K.)**

**LABEL FILED:** November 1, 1948, District of Maine.

**ALLEGED SHIPMENT:** On or about September 17, 1948, by the H & K Candy Co., from New York, N. Y.

**PRODUCT:** 28 boxes, each containing 24 1¼-ounce packages, of chocolate filled cigarettes at Houlton, Maine.

**LABEL, IN PART:** (Package) "Fal-Mel [or "Crestfield"] Chocolate Filled Cigarettes."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label designation "Chocolate Filled" was false and misleading as applied to an article which contained little, if any, chocolate; and, Section 403 (d), the containers of the article were so filled as to be misleading since more and longer candy cigarettes could be placed in each package.

**DISPOSITION:** June 8, 1949. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

**15080. Adulteration of chocolate cordial cherries. U. S. v. 18 Boxes \* \* \*. (F. D. C. No. 26574. Sample No. 48324-K.)**

**LABEL FILED:** February 28, 1949, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about January 27, 1949, by the Crown Candy Co., Inc., from Springfield, Mass.

**PRODUCT:** 18 boxes, each containing 24 1¼-ounce packages, of chocolate cordial cherries at Williamsport, Pa.

**LABEL, IN PART:** "Elizabeth Ann Chocolate Cordial Cherries."

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

DISPOSITION: September 20, 1949. Default decree of condemnation and destruction.

## DAIRY PRODUCTS

### BUTTER

**15081. Adulteration of butter. U. S. v. 45 Cases \* \* \*. (F. D. C. No. 26678. Sample No. 15568-K.)**

**LIBEL FILED:** November 24, 1948, Eastern District of Michigan.

**ALLEGED SHIPMENT:** On or about October 25, 1948, by United Dairies, Inc., from George, Iowa.

**PRODUCT:** 45 cases, each containing 50 1-pound prints, of butter at Detroit, Mich.

**LABEL, IN PART:** "United Dairies Salt Butter."

**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 insect heads, insect fragments, and rodent hair fragments, and the fact that it was prepared from filthy cream.

**DISPOSITION:** February 11, 1949. The sole intervener having withdrawn its answer, judgment of condemnation was entered and the court ordered that the product be delivered to a Federal institution, for use as animal feed.

**15082. Adulteration of butter. U. S. v. 283 Cartons (18,112 pounds) \* \* \*. (F. D. C. No. 26444. Sample Nos. 11405-K, 11406-K.)**

**LIBEL FILED:** On or about December 3, 1948, Southern District of New York.

**ALLEGED SHIPMENT:** On or about November 1, 1948, by Peter Fox Sons Co., from Chicago, Ill.

**PRODUCT:** 283 cartons, each containing approximately 64 pounds, of butter at New York, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, putrid, or decomposed substance. (The product contained whole insects, insect fragments, rodent hair fragments, and manure.) Further adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** September 15, 1949. Peter Fox Sons Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be converted into fat for soap manufacturing purposes, under the supervision of the Food and Drug Administration.

**15083. Adulteration of butter. U. S. v. 11 Boxes (704 pounds) \* \* \*. (F. D. C. No. 27653. Sample No. 44814-K.)**

**LIBEL FILED:** April 21, 1949, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about April 12, 1949, by H. C. Christians, from Elba, Minn.

**PRODUCT:** 11 64-pound boxes of butter at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** May 2, 1949. H. C. Christians Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and