

**DISPOSITION:** January 13, 1950. Default decree of condemnation. The court ordered that the product be delivered to the National Zoological Park, for use as animal feed.

**15815. Misbranding of candy. U. S. v. 4 Cases \* \* \*. (F. D. C. No. 28394. Sample No. 50785-K.)**

**LIBEL FILED:** November 30, 1949, District of Montana.

**ALLEGED SHIPMENT:** On or about October 10, 1949, by the Atlantic Candy Co., from Brooklyn, N. Y.

**PRODUCT:** 4 cases, each containing 12 boxes, of candy at Bozeman, Mont.

**LABEL, IN PART:** (Boxes) "Mel-O-Pops \* \* \* Net Weight 1 Oz. or over."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the boxes contained less than 1 ounce, the declared weight.

**DISPOSITION:** February 21, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

### SUGAR

**15816. Adulteration of cane sugar. U. S. v. 379 Bags \* \* \*. (F. D. C. No. 27731. Sample No. 49540-K.)**

**LIBEL FILED:** August 31, 1949, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about August 15, 1949, by Swift & Co., from Denver, Colo. This was a return shipment.

**PRODUCT:** 379 100-pound bags of cane sugar at Lockport, La.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed that the product contained excessive moisture and was decomposed.)

**DISPOSITION:** November 17, 1949. Valentine Sugars, Inc., New Orleans, La., claimant, having consented to the entry of a decree, the court ordered that the product be released under bond to be converted into turbinado sugar, under the supervision of the Food and Drug Administration.

**15817. Adulteration of cane sugar. U. S. v. 110 Bags \* \* \*. (F. D. C. No. 27740. Sample No. 51889-K.)**

**LIBEL FILED:** On or about September 13, 1949, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about July 23 and 30, 1947, from New York, N. Y.

**PRODUCT:** 110 100-pound bags of cane sugar at Fayette, Ohio, in possession of the Fayette Canning Co.

**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, rodent excreta, and rodent urine; 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:** November 2, 1949. The Fayette Canning Co., having appeared as claimant, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was re-refined.

**DAIRY PRODUCTS****BUTTER**

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 15818 to 15820, and that was below the legal standard for milk fat content, Nos. 15820 and 15821.

**15818. Adulteration of butter. U. S. v. 10 Boxes (320 pounds) \* \* \*.**  
(F. D. C. No. 28332. Sample No. 52235-K.)

**LIBEL FILED:** October 4, 1949, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about September 19, 1949, by Young & Staut, from Clarksburg, W. Va.

**PRODUCT:** 10 32-pound boxes of butter at Cincinnati, Ohio.

**LABEL, IN PART:** "Meadow Gold Butter \* \* \* Distributed by Beatrice Foods Co. General Offices—Chicago, Illinois."

**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 fragments of insects, fragments of flies, and rodent hair fragments.

**DISPOSITION:** December 21, 1949. Default decree of condemnation. The court ordered that the product be denatured under the supervision of the United States marshal and that it be disposed of for purposes other than for human consumption.

**15819. Adulteration of butter. U. S. v. 6 Cases \* \* \*.** (F. D. C. No. 28334.  
Sample No. 62672-K.)

**LIBEL FILED:** On or about October 20, 1949, District of Rhode Island.

**ALLEGED SHIPMENT:** On or about September 17, 1949, by the Cudahy Packing Co., from Winfield, Iowa.

**PRODUCT:** 6 cases, each containing 32 1-pound prints, of butter at Providence, R. I.

**LABEL, IN PART:** "Daisy Maid Brand Creamery Butter."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance. (Analysis disclosed that the product contained insect fragments, fly eggs, setae, moth scales, mites, feather barbules, and rodent hair fragments.)

**DISPOSITION:** November 30, 1949. Default decree of condemnation and destruction.

**15820. Adulteration and misbranding of butter. U. S. v. 216 Boxes (13,824 pounds) \* \* \*.** (F. D. C. No. 28555. Sample No. 64069-K.)

**LIBEL FILED:** October 28, 1949, Southern District of New York.

**ALLEGED SHIPMENT:** On or about October 7, 1949, by Linton Creamery Co., Inc., from Linton, N. Dak.

**PRODUCT:** 216 boxes, each containing 64 pounds, of butter at New York, N. Y.

**LABEL, IN PART:** "Butter Manufactured from Pasteurized Cream Beaver Valley Brand."

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