

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for cocoa since it contained flour which is not a permitted ingredient.

DISPOSITION: July 31, 1952. The Clinton Chocolate Co., Boston, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be reprocessed and relabeled, under the supervision of the Federal Security Agency. The product was converted to a dessert mix.

SIRUP

19060. Adulteration and misbranding of sorghum sirup. U. S. v. James R. Lewis and Lloyd O. Lewis (J. R. Lewis). Pleas of guilty. Each defendant fined \$50. (F. D. C. No. 32717. Sample No. 31467-L.)

INFORMATION FILED: September 4, 1952, Southern District of Illinois, against James R. Lewis and Lloyd O. Lewis, trading as J. R. Lewis, at Granite City, Ill.

INTERSTATE SHIPMENT: On or about December 6, 1951, from the State of Louisiana into the State of Illinois, of a quantity of sirup consisting principally of glucose and sugar sirup.

ALLEGED VIOLATION: On or about December 6, 1951, while the product was being held for sale after shipment in interstate commerce, the defendants, at Granite City, Ill., caused labels describing the product as "Sorghum" to be affixed to a number of cans of the sirup, which act of the defendants resulted in the product being adulterated and misbranded.

LABEL, IN PART: (Cans) "Good Old Country Sorghum A Health Food J. R. Lewis * * * Granite City, Illinois."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), sirup consisting principally of glucose and sugar sirup had been substituted in whole or in part for sorghum.

Misbranding, Section 403 (b), the article was offered for sale under the name of another food, namely, sorghum; and, Section 403 (a), the label statement "Sorghum" was false and misleading since the article was not sorghum.

DISPOSITION: September 8, 1952. The defendants having entered pleas of guilty, the court imposed a fine of \$50 against each defendant.

SUGAR

19061. Adulteration of sugar. U. S. v. 1,000 Bags * * *. (F. D. C. No. 33300. Sample No. 26623-L.)

LIBEL FILED: June 19, 1952, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 21, 1952, from Cuba.

PRODUCT: 1,000 100-pound bags of sugar at Philadelphia, Pa., in the possession of the Pennsylvania Warehouse & Safe Deposit 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 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: July 10 and October 28, 1952. Olavarria & Co., Inc., New York, N. Y., claimant, having consented to the entry of a decree, judgment of

condemnation was entered and the court ordered that the product be released under bond for segregation and re-refining of the unfit portion, under the supervision of the Food and Drug Administration. The segregation operations resulted in the salvaging of 713 bags of sugar which was fit for human consumption. The remaining 287 bags of sugar were re-refined for use in animal feed.

19062. Adulteration of sugar. U. S. v. 997 Bags * * *. (F. D. C. No. 33302. Sample No. 26624-L.)

LABEL FILED: June 19, 1952, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 4, 1952, from Cuba.

PRODUCT: 997 100-pound bags of sugar at Philadelphia, Pa., in the possession of the Reading 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 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: June 25, 1952. The Reading Co., Philadelphia, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for the segregation and the re-refining of the unfit portion, under the supervision of the Federal Security Agency. The entire lot was re-refined.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of a filthy or decomposed substance, No. 19063; that was below the legal standard for milk fat content, Nos. 19064 and 19065; and that was short of the declared weight, No. 19065.

19063. Adulteration of butter. U. S. v. Money Creek Cooperative Creamery Association. Plea of guilty. Fine, \$250. (F. D. C. No. 31568. Sample No. 19188-L.)

INFORMATION FILED: January 18, 1952, District of Minnesota, against the Money Creek Cooperative Creamery Association, a corporation, Money Creek, Minn.

ALLEGED SHIPMENT: On or about July 24, 1951, from the State of Minnesota into the State of Illinois.

LABEL, IN PART: "Creamery Butter Distributed By H. C. Christians Co. Chicago, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect parts and by reason of the use of filthy cream in its preparation.

DISPOSITION: June 19, 1952. The defendant having entered a plea of guilty, the court imposed a fine of \$250.