

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 insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 1, 1953. Default decree of condemnation. The court ordered that the product be denatured and delivered to a charitable institution, for use as animal feed.

20860. Adulteration of flour. U. S. v. 27 Bags * * *. (F. D. C. No. 35659. Sample No. 59547-L.)

LIBEL FILED: September 24, 1953, Northern District of Georgia.

ALLEGED SHIPMENT: On or about July 30 and August 20, 1953, from Wilson, Kans.

PRODUCT: 27 50-pound bags of flour at Bowdon, Ga.

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 insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 2, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

20861. Adulteration of unpopped popcorn. U. S. v. 22 Bags, etc. (F. D. C. No. 35500. Sample No. 55944-L.)

LIBEL FILED: September 21, 1953, Western District of New York.

ALLEGED SHIPMENT: On or about January 2, 1953, from Atchison, Kans.

PRODUCT: 22 100-pound bags, 25 25-pound bags, and 22 50-pound bags of unpopped popcorn at Elmira, N. Y.

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 live insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 2, 1953. Default decree of condemnation and destruction.

20862. Adulteration of wheat. U. S. v. 122,400 Pounds, etc. (F. D. C. No. 35994. Sample Nos. 61763-L, 61764-L.)

LIBEL FILED: November 25, 1953, Western District of Missouri.

ALLEGED SHIPMENT: On or about November 18, 1953, by the Gale Grain & Feed Co., from McCook, Nebr.

PRODUCT: 243,000 pounds of wheat in 2 railroad cars at North Kansas City, Mo. Examination showed that the ends of the cars were plugged with musty wheat.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of musty wheat.

DISPOSITION: November 25, 1953. Earl G. Gale, McCook, Nebr., 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 brought into compliance with the law, under the supervision of the Department of Health, Education, and Welfare. The product subsequently was denatured for use as animal feed.

20863. Adulteration of doughnut mix. U. S. v. 29 Bags * * *. (F. D. C. No. 35705. Sample No. 59776-L.)

LIBEL FILED: October 8, 1953, Middle District of North Carolina.

ALLEGED SHIPMENT: On or about March 26, 1953, from Springfield, Ill.

PRODUCT: 29 100-pound bags of doughnut mix at Winston-Salem, N. C.

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 insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 1, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, conditioned that it be denatured and used for animal feed.

DAIRY PRODUCTS

BUTTER

20864. Adulteration of whipped butter. U. S. v. Aiello Dairy Farms Co. Plea of guilty. Fine, \$150. (F. D. C. No. 35138. Sample Nos. 51651-L, 51657-L, 51691-L.)

INFORMATION FILED: October 22, 1953, Eastern District of New York, against the Aiello Dairy Farms Co., a partnership, Brooklyn, N. Y.

ALLEGED SHIPMENT: On or about March 5 and 25 and April 22, 1953, from the State of New York into the State of New Jersey.

LABEL, IN PART: "Aiello Dairy Farms Co. Brand Whipped Butter."

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

DISPOSITION: December 14, 1953. The defendant having entered a plea of guilty, the court fined it \$150.

20865. Adulteration of butter. U. S. v. 150 Cases, etc. (F. D. C. No. 35553. Sample Nos. 59166-L, 59167-L.)

LIBEL FILED: On or about August 11, 1953, Southern District of Florida.

ALLEGED SHIPMENT: On or about July 14, 1953, by the Sugar Creek Creamery Co., from Louisville, Ky.

PRODUCT: Butter. 150 cases, each containing 32 pounds, 16 cases, each containing 32 1-pound cartons, and 30 cases, each containing 12 pounds, at Miami, Fla.

LABEL, IN PART: "Country Roll Creamery Butter Pasteurized Distributors Wilson & Co. General offices Chicago, Ill." and "Lake View Creamery Butter Distributed by Wilson & Co. General Offices Chicago, Ill."