

CHARGE: 402(a)(3)—contained insects and insect parts when shipped.

PLEA: Guilty.

DISPOSITION: 1-23-61. Fine of \$150.

27089. Marshmallows. (F.D.C. No. 45146. S. No. 29-886 R.)

QUANTITY: 20 cases, 24 14-oz. bags each, at Hopkins, Minn.

SHIPPED: 5-24-60, from Chicago, Ill.

LIBELED: 11-21-60, Dist. Minn.

CHARGE: 402(a)(3)—contained a decomposed substance while held for sale.

DISPOSITION: 2-13-61. Default—destruction.

SIRUP AND SUGAR

27090. Sorghum sirup. (F.D.C. No. 44825. S. No. 25-431 R.)

QUANTITY: 89 cases, 12 22-oz. labeled btls. each, and 189 cases, 12 22-oz. unlabeled btls. each, at Riverside, Calif.

SHIPPED: Between April 1960 and 7-10-60, from Monroe, La., by H. Norris Syrup Co.

LABEL IN PART: (Btl.) "Old Fashioned Sorghum * * * Packed for Pine Ridge Syrup Co. Box 44 Hatfield, Arkansas, Made from selected varieties of cane."

RESULTS OF INVESTIGATION: Examination showed that the article was a mixture of sorghum sirup and invert sugar sirup.

LIBELED: 10-19-60, S. Dist. Calif.

CHARGE: Labeled btls., 402(b)(2)—when shipped and while held for sale, a mixture of sorghum sirup and invert sugar sirup had been substituted in part for sorghum sirup; and 403(a)—the label statement "Sorghum" was false and misleading as applied to a mixture of sorghum sirup and invert sugar sirup.

Unlabeled btls., 403(e)—when shipped, the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, (2) an accurate statement of the quantity of the contents in terms of weight, measure or numerical count; and 403(i)—the article did not bear a label bearing (1) the common or usual name of the food and (2) the common or usual name of each ingredient from which it was fabricated.

DISPOSITION: 1-19-61. Default—delivered to a charitable institution.

27091. Ice cream sirups. (F.D.C. No. 44885. S. Nos. 42-721/3 R.)

QUANTITY: 42 50-lb. pails at San Francisco, Calif.

SHIPPED: April 1960 and 5-16-60, from Pittsburgh, Pa.

LIBELED: 9-12-60, N. Dist. Calif.

CHARGE: 402(a)(3)—contained a decomposed substance while held for sale.

DISPOSITION: 10-11-60. Default—destruction.

27092. Sugar. (F.D.C. No. 45173. S. Nos. 27-870/71 R.)

QUANTITY: 49 100-lb. bags and 113 25-lb. bags at Minneapolis, Minn., in possession of Slocum Co.

SHIPPED: 7-27-60, from Sidney, Mont.

LIBELED: 12-14-60, Dist. Minn.

CHARGE: 402(a)(3)—contained rodent urine; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 3-1-61. Default—destruction.

DAIRY PRODUCTS

BUTTER

27093. Butter. (F.D.C. No. 43758. S. Nos. 13-254/55 R.)

QUANTITY: 6 cases, each containing 9 5-lb. rolls, and 25 1-lb. prints, at Chicago, Ill.

SHIPPED: 12-27-60, from outside the State of Illinois.

LIBELED: 2-6-61, N. Dist. Ill,

CHARGE: 402(b)(2)—while held for sale, a product containing less than 80 percent by weight of milk fat had been substituted for butter; and 402(b)(4)—water had been added to the article or mixed or packed therewith so as to increase its bulk or weight and reduce its quality.

DISPOSITION: 3-9-61. Default—destruction.

27094. Butter. (F.D.C. No. 43744. S. Nos. 9-022/3 R.)

QUANTITY: 157 cases, 32 1-lb. prints each, and 30 cases, 12 1-lb. prints each, at Rochester, N.Y.

SHIPPED: A quantity of cream was shipped on 7-26-60, from Boston, Mass.

RESULTS OF INVESTIGATION: Examination showed that the butter was made from cream which became decomposed after shipment.

LIBELED: 8-9-60, W. Dist. N.Y.,

CHARGE: 402(a)(3)—contained a decomposed substance while held for sale.

DISPOSITION: 9-27-60. Consent—claimed by Pavilion Creamery Co., Inc., Rochester, N.Y., and converted into butter oil.

27095. Butter. (F.D.C. No. 43757. S. No. 58-903 R.)

QUANTITY: 41 64-lb. boxes at Chicago, Ill.

SHIPPED: 1-3-61, from Shawano, Wis., by Consolidated Badger Cooperative.

LIBELED: 2-9-61, N. Dist. Ill.

CHARGE: 402(b)(2)—when shipped, a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: 2-15-61. Consent—claimed by Berkshire Foods, Inc., Chicago, Ill., and reworked.

CHEESE

27096. Cheddar cheese. (Inj. No. 395.)

COMPLAINT FOR INJUNCTION FILED: 1-5-61, Dist. S. Dak., against Dakota Cheese Co., a corporation, Pollock, S. Dak., and Robert R. Richardson, manager.

CHARGE: The complaint alleged that the defendants were engaged in operating a cheese factory producing cheddar cheese, and that the cheese when introduced into interstate commerce was adulterated as follows:

402(a)(3)—contained rodent hair fragments, moth scales, insect fragments, fly seta, feather barbules, and plant and manure fragments primarily because of the use of dirty, contaminated milk in the preparation of the cheese.