

DISPOSITION: On 12-14-60, Olivarria & Co., Inc., New York, N.Y., claimant, having consented to the entry of a decree of permanent injunction, a decree was entered perpetually enjoining and restraining the claimant from introducing into interstate commerce any of the seized article for human use. The decree also provided that the article was to be segregated and that the unfit portion was to be brought into compliance with the law under the supervision of the Department of Health, Education, and Welfare. The article was subsequently re-refined and thereby brought into compliance with the law. Thereafter, on 4-14-61, a supplemental decree was entered condemning the article and ordering that the article be released to the claimant for sale or other disposition in conformity with the law.

SIRUP

27694. Sorghum sirup. (F.D.C. No. 46141. S. No. 87-959 R.)

QUANTITY: 78 cases, 12 2-lb. jars each, at Kansas City, Mo.

SHIPPED: 3-28-61 and 4-19-61, from Cedar Rapids, Iowa, by Waconia Sorghum Co.

LABEL IN PART: (Jar) "Waconia * * * Highest Grade Pure Sorghum * * * Waconia Sorghum Co. P.O. Box 1711 Cedar Rapids, Ia. * * * Made from Sorghum Cane Juice Processed with Invertase and Malt Diastase."

LIBELED: 7-27-61, W. Dist. Mo.

CHARGE: 403(f)—when shipped, the information required by 403 (e) and (i) (2) to appear on the label, namely, the quantity of contents, firm's address, and ingredients statement, was not placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 12-6-61. Default—delivered to public institutions.

DAIRY PRODUCTS

BUTTER

27695. Butter. (F.D.C. No. 43768. S. Nos. 91-353/4 R, 39-770/1 T, 39-763/4 T.)

QUANTITY: 502 64-lb. ctns. at Bronx, N.Y.

SHIPPED: 5-30-61 and 6-15-61, from Milton, Vt., by Milton Cooperative Dairy Corp.

LABEL IN PART: "Milton Coop Dairy Corp., Milton, Vermont * * * creamery butter Keep refrigerated."

LIBELED: 9-26-61, S. Dist. N.Y.

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

DISPOSITION: 11-8-61. Consent—claimed by M. E. Franks, Inc., New York, N.Y., and reworked.

27696. Butter. (F.D.C. No. 43770. S. No. 18-240 T.)

QUANTITY: 78 64-lb. ctns. at Oklahoma City, Okla.

SHIPPED: 12-1-61, from Coffeyville, Kans., by Page Milk Co.

LABEL IN PART: (Ctn.) "Creamery Butter Keep Refrigerated Packed for Wilsey-Bennett Co. San Francisco, Calif. Page 15, 16, 17, or 18."