

**7477. Adulteration of cane sugar. U. S. v. 1,347 Bags of Sugar. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 13624. Sample No. 63914-F.)

**LABEL FILED:** September 14, 1944, Southern District of Florida.

**ALLEGED SHIPMENT:** Between the approximate dates of March 15 and April 14, 1944, from Sagua La Granda, Cuba.

**PRODUCT:** 1,347 100-pound bags of cane sugar at Miami, Fla., in the possession of the Robbins Warehousing and Distributing Co.

This product had been stored under insanitary conditions after shipment. The bags had been gnawed by rodents, and urine stains and rodent pellets were on the bags. Examination showed that the article contained rodent hair fragments and was contaminated with urine.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions, whereby it may have become contaminated with filth.

**DISPOSITION:** October 25, 1944. Lombard & Co., New York, N. Y., claimant, having admitted that a portion of the product was adulterated, and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the segregation and re-refining of the unfit portion, under the supervision of the Food and Drug Administration.

**7478. Adulteration of corn sugar. U. S. v. 500 Bags and 333 Bags of Corn Sugar. Consent decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 13053, 13054. Sample Nos. 72068-F, 72069-F.)

**LABEL FILED:** August 2, 1944, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about November 19 and December 20, 1943, from Roby, Ind., and Chicago, Ill.

**PRODUCT:** 833 bags, each containing 100 pounds, of corn sugar at Memphis, Tenn., in the possession of the Poston Warehouse.

The product was stored under insanitary conditions after shipment. The bags were rodent-gnawed, and rodent pellets were noted on the bags and in the product. Examination of samples disclosed the presence of rodent excreta and rodent hairs.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** August 24 and 25, 1944. The American Maize Products Co., claimant for the 333-bag lot, and Swift & Co., claimant for the 500-bag lot, having admitted the allegations of the labels, judgments of condemnation were entered and the product was ordered released under bond, conditioned that, in the case of the former lot, the unfit portion be re-refined, and that, in the case of the latter lot, it be destroyed. On September 13, 1944, on motion of the claimant for the 333-bag lot, an amended decree was entered ordering the unfit portion destroyed; and on October 7, 1944, an amended decree was entered with respect to the 500-bag lot, ordering the segregated unfit portion disposed of as livestock and cattle feed.

**7479. Adulteration of dextrose sugar. U. S. v. 566 Bags of Dextrose Sugar. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 13737. Sample No. 72854-F.)

**LABEL FILED:** September 23, 1944, Southern District of California.

**ALLEGED SHIPMENT:** On or about June 19, 1944, from Kansas City, Mo.

**PRODUCT:** 566 100-pound bags of dextrose sugar at Planada, Calif., in the possession of the Planada Packers.

The article was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the article contained rodent pellets.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 14, 1944. The Planada Packers, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law. The article was used for distillation purposes.

**7480. Adulteration of dextrose sugar. U. S. v. 74 Bags of Dextrose Sugar. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13250. Sample No. 72590-F.)**

**LIBEL FILED:** August 21, 1944, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about January 10, 1944, from Chicago, Ill.

**PRODUCT:** 74 100-pound bags of dextrose sugar at Memphis, Tenn., in the possession of the Poston Warehouse.

The article was stored under insanitary conditions after shipment. Rodent pellets were observed on the bags, and some of the bags were rodent-gnawed. Examination showed that the article contained rodent excreta.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** September 30, 1944. The Seven-Up Memphis Co., Inc., Memphis, Tenn., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reconditioned by refining, under the supervision of the Federal Security Agency.

**7481. Adulteration of marshmallow topping. U. S. v. 40 Cans of Marshmallow Topping. Default decree of condemnation and destruction. (F. D. C. No. 13079. Sample No. 52399-F.)**

**LIBEL FILED:** July 28, 1944, District of New Hampshire.

**ALLEGED SHIPMENT:** On or about April 15, 1944, by the Lincoln Fruit & Syrup Co., from Lawrence, Mass.

**PRODUCT:** 40 1-gallon cans of marshmallow topping at Manchester, N. H.

Examination showed that the product was fermented.

**LABEL, IN PART:** (Cans) "Lincoln One Gallon Marshmallow Topping."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** September 21, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### NUTS AND NUT PRODUCTS

**7482. Adulteration of almonds. U. S. v. 17 Bags of Almonds. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14480. Sample No. 89746-F.)**

**LIBEL FILED:** November 15, 1944, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about July 27, 1944, from Philadelphia, Pa.

**PRODUCT:** 17 200-pound bags of almonds at St. Louis, Mo., in the possession of the Tyler Warehouse and Cold Storage Co. The product had been stored under insanitary conditions after shipment. The bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the product contained rodent pellets, rodent hairs, and rodent-gnawed almonds.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** December 12, 1944. The National Candy Co., St. Louis, Mo., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was reconditioned by eliminating all unfit material.

**7483. Adulteration of shelled peanuts. U. S. v. 148 Sacks and 142 Bags of Shelled Peanuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 14114, 14141. Sample Nos. 90097-F, 90098-F.)**

**LIBEL FILED:** October 23, 1944; amended libel filed October 26, 1944, Southern District of Iowa.