

**PRODUCT:** 63 100-pound bags of sugar, in possession of the Duling Brothers Co., Ashland, Ky.

This product was stored, after shipment, under insanitary conditions. Some of the bags contained rodent-gnawed holes, and rodent pellets and urine stains were found on the bags. Examination showed that the product contained beetles, and confirmed the presence of urine in the sugar.

**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 might have become contaminated with filth.

**DISPOSITION:** July 14, 1944. Duling Brothers Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation and denaturing of the unfit portion for use as stock feed, under the supervision of the Federal Security Agency.

**6086. Adulteration of sugar. U. S. v. 37 Bags of Sugar. Consent decree of condemnation. Product ordered released for refining and recrystallization. (F. D. C. No. 12649. Sample No. 72536-F.)**

**LIBEL FILED:** June 9, 1944, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about March 3, 1944, from Reserve, La.

**PRODUCT:** 37 100-pound bags of sugar in possession of the United Grocery Co., Paris, Tenn.

This product was stored under insanitary conditions after shipment. The bags contained rodent pellets and urine stains. Examination of the product confirmed the presence of 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 might have become contaminated with filth.

**DISPOSITION:** July 22, 1944. United Grocery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for refining and recrystallization under the supervision of the Federal Security Agency.

## DAIRY PRODUCTS

### BUTTER

**6087. Adulteration of butter. U. S. v. Arkansas City Cooperative Milk Association, Inc. Plea of guilty. Fine, \$100 and costs. (F. D. C. No. 12521. Sample Nos. 11537-F, 59259-F.)**

**INFORMATION FILED:** On August 31, 1944, in the District of Kansas, against the Arkansas City Cooperative Milk Association, Inc., Arkansas City, Kans.

**ALLEGED SHIPMENT:** On or about August 7 and December 16, 1943, from the State of Kansas into the States of California and Illinois.

**LABEL, IN PART:** (Boxes) "Creamery Butter Distributed by Dauber Bros Chicago \* \* \* Illinois."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (1), a valuable constituent of the food, milk fat, had been in part omitted therefrom; and, Section 402 (b) (2), a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** September 11, 1944. A plea of guilty was entered and the defendant was fined \$100 and costs.

**6088. Adulteration of butter. U. S. v. 71 Boxes of Butter. Decree of condemnation. Product ordered released for reworking, upon deposit of cash collateral. (F. D. C. No. 12783. Sample Nos. 40423-F, 52577-F.)**

**LIBEL FILED:** May 31, 1944, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about May 17, 1944, by the Northwest Dairy Forwarding Co., from Minneapolis, Minn.

**PRODUCT:** 71 boxes, each containing 60 pounds, of butter at Somerville, Mass.

**LABEL, IN PART:** (Box) "Stockholm Co-op Creamery Cokato Minn," (wrapper) "Packed for First National Stores, Inc. \* \* \* Somerville, Mass."

**VIOLATION CHARGED:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** June 14, 1944. Pipestone Produce Co., Somerville, Mass., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released, upon deposit of cash collateral, to be reworked under the supervision of the Food and Drug Administration.

**6089. Adulteration of butter. U. S. v. 19 Cartons of Butter. Decree of condemnation. Product ordered released under bond to be reworked.** (F. D. C. No. 12782. Sample No. 40508-F.)

**LIBEL FILED:** June 20, 1944, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about June 14, 1944, by the Sauk Lake Cooperative Creamery Association, from St. Paul, Minn.

**PRODUCT:** 19 62-pound cartons of butter at Philadelphia, Pa.

**LABEL, IN PART:** "Butter Distributed by C. G. Heyd & Co. \* \* \* Phila. Pa"

**VIOLATION CHARGED:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** June 30, 1944. Luther K. Heyd, Philadelphia, Pa., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reworked under the supervision of the Food and Drug Administration.

**6090. Adulteration of butter. U. S. v. 10 Boxes and 4 Cubes of Butter. Decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 12780, 13157. Sample Nos. 60435-F, 73353-F.)

**LIBELS FILED:** June 13 and 20, 1944, Northern District of California.

**ALLEGED SHIPMENT:** On or about May 22 and June 3, 1944, by Land O'Lakes Creameries, Inc., from Minnesota Transfer, Minn.

**PRODUCT:** 10 boxes and 4 cubes of butter at San Francisco, Calif.

**VIOLATION CHARGED:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** June 27 and 29, 1944. Wilsey Bennett Co., San Francisco, Calif., having appeared as claimant for one portion and B. J. Holmes, trading as the B. J. Holmes Sales Co., San Francisco, Calif., having appeared as claimant for the remainder, judgments of condemnation were 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 subsequently reworked.

**6091. Adulteration of butter. U. S. v. 12 Cubes (816 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond for reworking.** (F. D. C. No. 11714. Sample No. 65264-F.)

**LIBEL FILED:** December 31, 1943. District of Montana.

**ALLEGED SHIPMENT:** On or about November 1, 1943, by the Sheridan Creamery Co., Sheridan Wyo.

**PRODUCT:** 12 68-pound cubes of butter at Butte, Mont.

**LABEL, IN PART:** "Butter \* \* \* Mid-Central Produce Co., Butte, Mont."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** July 15, 1944. The Sheridan Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

#### MILK AND CHEESE

**6092. Adulteration of evaporated milk. U. S. v. 39 Cases of Evaporated Milk. Default decree of condemnation and destruction.** (F. D. C. No. 12628. Sample No. 75227-F.)

**LIBEL FILED:** June 6, 1944, Western District of New York.

**ALLEGED SHIPMENT:** On or about April 29, 1944, by the Borden Co., Perrinton, Mich.

**PRODUCT:** 39 cases, each containing 48 cans, of evaporated milk at Niagara Falls, N. Y.