

The article had been stored under insanitary conditions after shipment. The bags were rodent-gnawed; rodent excreta pellets were on the bags and on the floor; and the article was contaminated by rodent-gnawing, rodent excreta, urine, weevils, dirt, burlap, and paper fibers.

**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:** April 14, 1944. The Palmer Candy Co., 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 unfit portion was denatured with fish oil.

**6459. Adulteration and misbranding of honey. U. S. v. 1,385 Cans of Honey. Decree of condemnation. Product ordered released under bond to be relabeled.** (F. D. C. No. 12271. Sample No. 41456-F.)

**LIBEL FILED:** April 27, 1944, Southern District of Texas.

**ALLEGED SHIPMENT:** On or about November 8, 1943, from Mexico, by Raul Gonzalez.

**PRODUCT:** 1,385 55-pound cans of honey, at Houston, Tex.

**LABEL, IN PART:** "Bee Honey Filtered and Clarified."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), honey containing added sucrose or invert sugar had been substituted in whole or in part for "Bee Honey," which the article was represented to be; and, Section 402 (b) (4), sucrose or invert sugar had been added thereto or mixed or packed therewith so as to reduce its quality or strength.

Misbranding, Section 403 (a), the name "Bee Honey" was false and misleading as applied to an article which contained added sucrose or invert sugar; and, Section 403 (b), it was offered for sale under the name of another food.

**DISPOSITION:** May 29, 1944. The claimant having admitted the allegations in the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

## DAIRY PRODUCTS

### BUTTER

The following cases report actions involving butter that was contaminated with mold, Nos. 6460, 6461, and 6471; below the legal standard for milk fat content, Nos. 6461 to 6470, incl., and 6472; short-weight, Nos. 6471 to 6474, incl.

**6460. Adulteration of butter. U. S. v. 25 Cases of Butter (and 6 other seizure actions against butter). Decrees of condemnation. Four lots ordered released under bond, 2 lots ordered sold to a chemical plant for industrial purposes, and the remaining lot ordered delivered to a charitable institution for salvage of the fats for use in the war effort.** (F. D. C. Nos. 12391, 12803, 13137, 13143, 13144, 13153, 13160. Sample Nos. 61232-F, 61233-F, 67596-F, 67651-F, 67755-F, 67780-F, 68516-F, 80427-F.)

**LIBELS FILED:** Between May 2 and July 26, 1944, Southern District of Ohio, Eastern District of Illinois, Southern District of West Virginia, Middle District of Alabama, and Middle District of Tennessee.

**ALLEGED SHIPMENT:** From on or about April 21, 1944, to July 1, 1944, by the Armour Creameries, Louisville, Ky., Springfield, Mo., and Meridian, Miss.

**PRODUCT:** Butter: 114 cases at National Stock Yards, Ill., 15 cases at Huntington, W. Va., 79 cases at Montgomery, Ala., and 27 cases at Nashville, Tenn., each case containing 32 pounds; and 45 32-pound cases and 1 28-pound case, at Cincinnati, Ohio.

Examination of samples disclosed that the product contained mold.

**LABEL, IN PART:** "Armour's Cloverbloom Butter."

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

**DISPOSITION:** June 13 and July 3 and 25, 1944. Armour & Co., claimant for the lots at National Stock Yards, Montgomery, and Nashville, and one of the lots at Cincinnati, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond

to be converted into refined butter oil, under the supervision of the Food and Drug Administration. May 25, July 18, and August 30, 1944. No claimant having appeared in the other cases, judgments of condemnation were entered and 2 of the lots were ordered sold to a chemical plant to be used for purposes other than human consumption; and the remaining lot was ordered delivered to a charitable institution, for disposition as salvage fats for use in the war effort.

**6461. Adulteration of butter. U. S. v. 27½ Cases of Butter (and 1 other seizure action against butter). Default decrees of condemnation. Portion of product ordered delivered to Government hospitals; remainder ordered sold for technical war purposes. (F. D. C. Nos. 11711, 12064. Sample Nos. 61105-F, 61526-F.)**

**LIBEL FILED:** December 17, 1943, and March 6, 1944, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** From on or about November 24, 1943, to February 24, 1944, by the Denison Poultry & Egg Co., from Denison, Tex.

**PRODUCT:** 82½ 32-pound cases of butter at New Orleans, La.

Examination of samples disclosed that a portion of the product contained mold.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2) (both lots), a product containing less than 80 percent by weight of milk fat had been substituted for butter; and Section 402 (a) (3) (one lot), the article consisted in whole or in part of a filthy and decomposed substance.

**DISPOSITION:** February 28 and May 29, 1944. No claimant having appeared, judgments of condemnation were entered and one lot was ordered delivered to a Naval Hospital for consumption and not for sale. The remaining lot, which contained mold, was ordered sold to a rendering plant, to be used for war purposes.

**6462. Adulteration of butter. U. S. v. Sugar Creek Creamery Co. Plea of nolo contendere. Fine, \$100 and costs. (F. D. C. No. 10643. Same Nos. 41041-F, 41044-F, 41057-F, 41343-F, 41394-F, 41398-F.)**

**INFORMATION FILED:** On January 19, 1944, in the Eastern District of Arkansas, against the Sugar Creek Creamery Co., a corporation, Russellville, Ark.

**ALLEGED SHIPMENT:** From on or about May 4 to June 30, 1943, from the State of Arkansas into the State of Louisiana.

**LABEL IN PART:** (Carton) "Sugar Creek Butter," "Velva Brand Creamery Butter Distributed by H. G. Hill Stores New Orleans, La.," "Cudahy's Sunlight Creamery Butter \* \* \* The Cudahy Packing Co. Distributors," "Sugar Creek Quarters," "Sunlight Quarters," or "Velva Quarters."

**VIOLATIONS CHARGED:** 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:** February 25, 1944. The defendant having entered a plea of nolo contendere, a fine of \$100 and costs was imposed.

**6463. Adulteration of butter. U. S. v. 5 Cases of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 12392. Sample No. 59477-F.)**

**LIBEL FILED:** On or about April 21, 1944, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about March 29, 1944, by the Pella Produce Co., from Pella, Iowa.

**PRODUCT:** 5 32-pound cases of butter at Chicago, Ill.

**LABEL IN PART:** (Wrapper) "Cudahy's Sunlight Creamery Butter \* \* \* The Cudahy Packing Co., Distributors, Chicago, Ill."

**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:** May 23, 1944. The Cudahy Packing Co., claimant, having admitted the facts in 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.