

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: March 29, 1946. The claimant having admitted that the product was misbranded as alleged in the libel, judgment of condemnation was entered and the sirup was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

10761. Misbranding of maple sirup. U. S. v. 18 Cases * * *. (F. D. C. No. 19020. Sample No. 4667-H.)

LIBEL FILED: February 1, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 21 and 27, 1945, by the New England Maple Syrup Co., from Chelsea, Mass.

PRODUCT: 18 cases, each containing 6 cans, of maple sirup at Philadelphia, Pa. Examination showed that the product was short-weight.

LABEL, IN PART: "Parke's Brand Canned Quality Foods Pure Maple Syrup * * * Net Contents 3 Quarts—Net Weight 8 Lbs. 4 Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: February 25, 1946. The New England Maple Syrup Co., claimant, having admitted the allegations of 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.

10762. Adulteration of sugar. U. S. v. 27 Bags * * *. (F. D. C. No. 18512. Sample No. 21943-H.)

LIBEL FILED: December 3, 1945, Western District of Tennessee.

ALLEGED SHIPMENT: On or about August 10 and September 29, 1945, from Sterling, La.

PRODUCT: 27 100-pound bags of sugar at Memphis, Tenn., in possession of Memphis Ice Cream Co. The product was stored under insanitary conditions after shipment. Rodent excreta and urine stains were observed on the bags, and examination showed that the product contained rodent excreta and urine.

NATURE OF CHARGE: 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: February 1, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold to the highest bidder to be denatured for use other than human consumption, under the supervision of the Food and Drug Administration.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 10763 to 10766 and 10771; and that was below the standard for milk fat content, Nos. 10767 to 10770.

10763. Adulteration of butter. U. S. v. Cecil E. Malone (Hereford Creamery). Plea of guilty. Fine, \$400. (F. D. C. No. 18603. Sample Nos. 26156-H, 26743-H.)

INFORMATION FILED: June 4, 1946, Northern District of Texas, against Cecil E. Malone, trading under the name Hereford Creamery, Hereford, Tex.

ALLEGED SHIPMENT: June 21 and July 6, 1945, from the State of Texas into the State of New Mexico.

LABEL, IN PART: "Cream-O-Plains Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, insect parts, insect fragments, setae, rodent hair, hair similar to rodent hair, hair similar to cat hair, feather barbules, moth scales, and nondescript dirt; and, Section 402 (a) (4), the article had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.