

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the article contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of the article and could have been avoided by good manufacturing practice.

DISPOSITION: May 8, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11172. Adulteration of sugar. U. S. v. 250 Bags * * *. (F. D. C. No. 19457. Sample No. 1632-H.)

LABEL FILED: March 27, 1946, Southern District of Georgia.

ALLEGED SHIPMENT: On or about October 4, 1946, from Columbia, S. C.

PRODUCT: 250 100-pound bags of sugar at Augusta, Ga., in possession of the City Bonded Warehouse. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent excreta, rodent hairs, and urine.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article 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 19, 1946. The Double Cola Bottling Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be reprocessed under the supervision of the Food and Drug Administration, so that it could be brought into compliance with the law.

11173. Adulteration of sugar. U. S. v. 187 Bags * * *. (F. D. C. No. 19822. Sample No. 24938-H.)

LABEL FILED: May 8, 1946, Southern District of Texas.

ALLEGED SHIPMENT: On or about June 23, 1945, from Wichita, Kans.

PRODUCT: 187 100-pound bags of sugar at San Carlos, Tex., in possession of the Miller Brothers Food Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination showed that the product contained rodent hair fragments and rodent excreta.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3) and (4).

DISPOSITION: June 24, 1947. Zella E. Miller, claimant, trading as Miller Brothers Foods, having admitted that the product was adulterated, judgment of condemnation was entered and the product was ordered released under bond to be denatured under the supervision of the Food and Drug Administration and disposed of as food for bees.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 11174 to 11176; that was below the standard for milk fat content, Nos. 11177 and 11178; and that was short of the declared weight, Nos. 11179 and 11180.

11174. Adulteration of butter. U. S. v. Mutual Creamery Co. Plea of nolo contendere. Fine, \$750. (F. D. C. No. 20175. Sample No. 25465-H.)

INFORMATION FILED: August 30, 1946, District of Colorado, against the Mutual Creamery Co., a corporation, Grand Junction, Colo.

ALLEGED SHIPMENT: On or about August 17, 1945, from the State of Colorado into the State of Utah.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments, rodent hair fragments, an insect egg, metal turnings, fibers, and plant tissue.

DISPOSITION: October 9, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$750.