

PRODUCT: 24 cases, each containing 6 96-fluid-ounce cans, of chocolate malt flavored sirup at Jackson, Miss. The product was undergoing decomposition.

LABEL, IN PART: "Plaza Chocolate Malt Flavored Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: March 11, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11728. Adulteration of chocolate-flavored sirup. U. S. v. 19 Cases * * *.
(F. D. C. No. 21337. Sample No. 50049-H.)

LABEL FILED: October 24, 1946, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about January 29, 1946, by the Silver Hill Products Co., Inc., from Brooklyn, N. Y.

PRODUCT: 19 cases, each containing 6 96-fluid-ounce cans, of chocolate-flavored sirup at Jackson, Miss. The product was undergoing decomposition.

LABEL, IN PART: "Van Delft's Chocolate Flavored Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: March 11, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11729. Misbranding of hot chocolate mixture. U. S. v. 56 Boxes * * *.
(F. D. C. No. 20851. Sample No. 65038-H.)

LABEL FILED: September 6, 1946, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about July 10, 1946, by the Harkins Chocolate Co., from Baltimore, Md.

PRODUCT: 56 boxes, each containing 100 envelopes, of hot chocolate mixture at Carlisle, Pa. Examination showed that the article contained no chocolate and that it was short-weight. Vanillin was not declared as artificial flavoring.

LABEL, IN PART: (Envelope) "Wt. 1½ oz. Bettar The Luxury Hot Chocolate * * * Mfg. by The Bettar Ice Cream Co., Inc. Baltimore Maryland."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements, (envelopes) "The Luxury Hot Chocolate," (boxes) "The Luxury Hot Chocolate For Making Hot or Iced Chocolate," and (circular) "Instant Hot Chocolate," were false and misleading as applied to an article containing no chocolate; Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of the contents; and, Section 403 (k), the article contained artificial flavoring and failed to bear labeling stating that fact.

DISPOSITION: November 27, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 11730 to 11733; that was below the standard for milk fat content, Nos. 11734 to 11743; and that was short of the declared weight, No. 11743.

11730. Adulteration of butter. U. S. v. Redwood Creamery, Inc. Plea of guilty. Fine, \$750. (F. D. C. No. 21525. Sample No. 63789-H.)

INFORMATION FILED: January 21, 1947, District of Minnesota, against the Redwood Creamery, Inc., Redwood Falls, Minn.

ALLEGED SHIPMENT: On or about August 22, 1946, from the State of Minnesota into the State of New York.

LABEL, IN PART: "Redwood Creamery Redwood Falls, Minn. Weinman & Winn * * * N. Y. C."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of manure fragments, rodent hair fragments, insects, insect heads, insect fragments, cotton fibers, vegetable fragments, metal and rust fragments, soot, and nondescript dirt;

and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 5, 1947. A plea of guilty having been entered, the court imposed a fine of \$750.

11731. Adulteration of butter. U. S. v. 5 Cartons (300 pounds) * * *. (F. D. C. No. 21275. Sample No. 63792-H.)

LABEL FILED: On or about September 25, 1946, Eastern District of New York.

ALLEGED SHIPMENT: On or about September 8, 1946, by the South Mountain Dairies, Inc., from Middletown, Md.

PRODUCT: 5 60-pound cartons of butter at Brooklyn, N. Y. The product had been made from moldy cream.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy, putrid, or decomposed substance.

DISPOSITION: December 11, 1946. The Sunnysdale Ice Cream Co., Inc., Brooklyn, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered blended and mixed with other fats intended for industrial purposes, under the supervision of the United States marshal.

11732. Adulteration of butter. U. S. v. 57 Cases * * *. (F. D. C. No. 21272. Sample Nos. 1798-H, 1964-H.)

LABEL FILED: November 7, 1946, Northern District of Georgia.

ALLEGED SHIPMENT: On or about October 17, 1946, by Armour Creameries, from Enid, Okla.

PRODUCT: 57 cases, each containing 32 pounds, of butter at Atlanta, Ga. Examination showed that the product contained mold.

LABEL, IN PART: "Armour Cloverbloom Butter * * * Armour Creameries Distributors General Office, Chicago, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy or decomposed substance.

DISPOSITION: December 9, 1946. Armour & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be converted into butter oil, under the supervision of the Food and Drug Administration.

11733. Adulteration of process butter. U. S. v. 10 Cases * * *. (F. D. C. No. 21298. Sample No. 49885-H.)

LABEL FILED: September 12, 1946, Middle District of Alabama.

ALLEGED SHIPMENT: On or about August 3, 1946, by the Big Apple Super Market, from Atlanta, Georgia.

PRODUCT: 10 cases, each containing 30 1-pound cartons, of process butter at Opelika, Alabama. Examination showed that the product contained fly and other insect fragments, rodent hairs, and feather fragments.

LABEL, IN PART: "Cherokee Rose Process Butter Mfg. by Cherokee Creamery, Inc., Cedartown, Ga."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy animal substance.

DISPOSITION: October 21, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, conditioned that it be denatured so that it could not be disposed of for use as food.

11734. Adulteration of butter. U. S. v. 82 Boxes (4,428 pounds) * * *. (F. D. C. No. 21300. Sample No. 51762-H.)

LABEL FILED: October 10, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about September 26, 1946, by Padua Cooperative Creamery, from Sauk Centre, Minn.

PRODUCT: 82 54-pound boxes of butter at Jersey City, N. J.

LABEL, IN PART: "June Dairy Products Co Inc Distributors Jersey City, N. J. Butter."