

BEVERAGES AND BEVERAGE MATERIALS

16001. Adulteration of canned cherry juice. U. S. v. 249 Cases, etc. (F. D. C. No. 28598. Sample No. 41947-K.)

LIBELS FILED: On January 12 and February 16, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 2, 1949, by Northport Cherry Factory, Inc., from Northport, Mich.

PRODUCT: 335½ cases, each containing 24 12-ounce cans, of cherry juice at Chicago, Ill.

LABEL, IN PART: "Cellu Juices * * * Red Cherry Juice."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance since it was prepared from rotten cherries.

DISPOSITION: March 2 and April 12, 1950. Default decrees of condemnation and destruction.

16002. Adulteration of tomato juice. U. S. v. 409 Cases, etc. (F. D. C. No. 28658. Sample Nos. 42615-K, 42616-K.)

LIBEL FILED: January 20, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about November 8 and 11, 1949, by Dwan's Home Canning Co., St. Joseph, Mich.

PRODUCT: Tomato juice. 409 cases, each containing 24 1-pint, 2-fluid-ounce cans, and 460 cases, each containing 12 1-quart, 14-fluid-ounce cans, at Chicago, Ill.

LABEL, IN PART: "Hawthorn Brand Tomato Juice."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: April 12, 1950. Default decree of condemnation and destruction.

16003. Adulteration of tomato juice. U. S. v. 447 Cases * * *. (F. D. C. No. 28792. Sample No. 72162-K.)

LIBEL FILED: January 23, 1950, Northern District of Ohio.

ALLEGED SHIPMENT: On or about January 1 and 3, 1949, by the Grant County State Bank, from Swayzee, Ind.

PRODUCT: 447 cases, each containing 6 3-quart cans, of tomato juice at Cleveland, Ohio.

LABEL, IN PART: "Tru-Flavor Contents 3 Quarts Tomato Juice Packed By Swayzee Canning Co., Inc. Swayzee, Ind."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: February 17, 1950. Default decree of condemnation and destruction.

16004. Adulteration of coffee sweepings. U. S. v. 1,100 Pounds, etc. (F. D. C. No. 28712. Sample Nos. 57165-K, 57166-K.)

LIBEL FILED: February 7, 1950, District of New Jersey.

ALLEGED SHIPMENT: The product was imported from various foreign countries.

PRODUCT: 2,100 pounds of coffee sweepings at Hoboken, N. J.

LABEL, IN PART: (Bag) "Green Coffee Sweepings for Export Use Only";
(tag) "Warehouse Sweepings Hold for Export Use Only."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was filthy and unfit for food by reason of the presence of dirt, wood splinters, matted fibers, and other extraneous material. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 10, 1950. Default decree of condemnation and destruction.

CEREALS AND CEREAL PRODUCTS

CORN MEAL

16005. Adulteration of corn meal. U. S. v. Murphy Grain & Milling Co., a partnership, and Francis X. Murphy, Sr. Pleas of nolo contendere. Partnership fined \$800; individual defendant fined \$200. (F. D. C. No. 26773. Sample Nos. 19540-K, 19544-K, 44091-K.)

INFORMATION FILED: April 26, 1949, Western District of Kentucky, against the Murphy Grain & Milling Co., Owensboro, Ky., and Francis X. Murphy, Sr., a partner.

ALLEGED SHIPMENT: On or about July 16 and 20 and August 26, 1948, from the State of Kentucky into the States of Tennessee and Indiana.

LABEL, IN PART: (Portion) "Riverside Mills Indian Head White Bolted Corn Meal Murphy Grain & Milling Co." or "Louis Hartman & Sons; Distributors * * * Magnolia Corn Meal New Albany, Ind."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent excreta fragments, rodent hair fragments, larvae, and insect fragments; and (portion), Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 27, 1950. Pleas of nolo contendere having been entered, the court fined the partnership \$800 and the individual defendant \$200.

16006. Adulteration of corn meal. U. S. v. The Herrman-McLean Co., a corporation, and Walter C. Seaman. Plea of guilty by corporation and plea of nolo contendere by individual defendant. Defendants each fined \$100 on each count. Sentence suspended on all but 1 count. (F. D. C. No. 28759. Sample Nos. 47761-K, 47768-K, 47771-K, 52062-K.)

INFORMATION FILED: March 1, 1950, Northern District of Ohio, against The Herrman-McLean Co., Monroeville, Ohio, and Walter C. Seaman, plant manager.

ALLEGED SHIPMENT: On or about September 19, 20, 29, and 30, 1949, from the State of Ohio into the State of West Virginia.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent excreta fragments, larvae, insect fragments, beetles, cat hair fragments, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 9, 1950. A plea of guilty was entered on behalf of the corporation, and a plea of nolo contendere was entered on behalf of the individ-