

**PRODUCT:** Candy. 19 7-ounce boxes, 19 8-ounce boxes, 53 1-pound boxes, and 33 2-pound boxes at Oakland, Calif.

**LABEL, IN PART:** (Portions) "Miniature Mints" or "Jamacas Rum Frango."

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

**DISPOSITION:** April 11, 1950. Default decree of condemnation and destruction.

**16016. Adulteration of candy. U. S. v. 57 Boxes \* \* \*. (F. D. C. No. 28662. Sample No. 68808-K.)**

**LABEL FILED:** January 23, 1950, Western District of Washington.

**ALLEGED SHIPMENT:** On or about November 28, 1949, by the Haslett Warehouse Co., from San Francisco, Calif.

**PRODUCT:** 57 boxes, each containing 120 sticks, of candy at Seattle, Wash.

**LABEL, IN PART:** "Garlon's Sugar Stick Candy Mfg. by Garlon Nelson, Texarkana, U. S. A."

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

**DISPOSITION:** April 13, 1950. Default decree of condemnation and destruction.

## DAIRY PRODUCTS

### BUTTER

**16017. Adulteration of butter. U. S. v. Gerald A. Roth (Breda Creamery). Plea of guilty. Fine of \$300 and costs. (F. D. C. No. 28772. Sample Nos. 11410-K, 11993-K.)**

**INFORMATION FILED:** March 29, 1950, Northern District of Iowa, against Gerald A. Roth, trading as the Breda Creamery, Breda, Iowa.

**ALLEGED SHIPMENT:** On or about November 20, 1948, and September 26, 1949, from the State of Iowa into the State of New York.

**LABEL, IN PART:** "Butter Distributed By Ritter & Sussman Newark, N. J."

**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, mites, rodent hair fragments, manure fragments, feather barbules, and sediment consisting chiefly of wood fragments, plant matter, dirt, and sand; and, Section 402 (a) (4), (1 shipment) it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** March 29, 1950. A plea of guilty having been entered, the court fined the defendant \$300, together with costs.

**16018. Adulteration of butter. U. S. v. Dearmin & Co., Inc. Plea of guilty. Fine, \$250. (F. D. C. No. 28762. Sample Nos. 51700-K, 62797-K.)**

**INFORMATION FILED:** March 1, 1950, Southern District of Indiana, against Dearmin & Co., Inc., Odon, Ind.

**ALLEGED SHIPMENT:** On or about August 12 and 26, 1949, from the State of Indiana into the States of Kentucky and Massachusetts.

**LABEL, IN PART:** (Wrapper) "Dearco [or "Arco"] Brand."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of ants, insect fragments, rodent hairs, feather barbules, maggots, and fly eggs, and it consisted in part of a decomposed substance since the product was made from decomposed cream, as evidenced by a high mold mycelia count; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** March 24, 1950. A plea of guilty having been entered, the court fined the defendant \$250.

### MISCELLANEOUS DAIRY PRODUCTS

16019. Adulteration and misbranding of oleomargarine. U. S. v. John F. Jelke Co. Motion denied to abate information. Plea of guilty. Fine of \$400 and costs. (F. D. C. No. 27480. Sample No. 25299-K.)

**INFORMATION FILED:** July 13, 1949, Northern District of Illinois, against the John F. Jelke Co., a corporation, Chicago, Ill.

**ALLEGED SHIPMENT:** On or about December 13, 1948, from the State of Illinois into the State of Iowa.

**LABEL, IN PART:** "Jelke's Good Luck Vegetable Oleomargarine."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of fat had been substituted for oleomargarine.

Misbranding, Section 403 (g) (1), the product fell below the definition and standard of identity for oleomargarine since it contained less than 80 percent of fat.

**DISPOSITION:** On January 30, 1950, a motion to abate the information was filed on the ground that the defendant corporation had been dissolved. On February 8, 1950, after argument before the court, the motion was denied. On March 22, 1950, a plea of guilty having been entered, the court fined the defendant \$400, together with costs.

16020. Adulteration of skim milk powder. U. S. v. 54 Barrels \* \* \*. (F. D. C. No. 28518. Sample No. 47647-K.)

**LIBEL FILED:** January 11, 1950, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about November 12, 1949, by the Chambersburg Dairy Products Co., Inc., from Chambersburg, Pa.

**PRODUCT:** 54 200-pound barrels of skim milk powder at Norfolk, Va.

**LABEL, IN PART:** "Dairymaid Skim Milk Powder for human consumption."

**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.

**DISPOSITION:** February 13, 1950. The Chambersburg Dairy Products Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for conversion into animal feed, under the supervision of the Federal Security Agency.