

## SUGAR

17068. Adulteration of sugar. U. S. v. 135 Bags \* \* \*. (F. D. C. No. 30241. Sample No. 66964-K.)

**LIBEL FILED:** November 9, 1950, District of Maryland.

**ALLEGED SHIPMENT:** On or about April 22, 1950, from Ponce, P. R.

**PRODUCT:** 135 100-pound bags of sugar at Baltimore, Md., in possession of the Baltimore & Ohio Railroad Co.

**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 rodent urine; and Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** December 14, 1950. The Baltimore & Ohio Railroad Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be re-refined, under the supervision of the Food and Drug Administration.

## DAIRY PRODUCTS

## BUTTER

17069. Adulteration of butter. U. S. v. The Branell Creamery Co. and Anthony J. Branella. Pleas of nolo contendere. Each defendant fined \$1,250; individual defendant placed on probation for 2 years. (F. D. C. No. 29169. Sample Nos. 48637-K to 48640-K, incl.)

**INFORMATION FILED:** October 18, 1950, Eastern District of Pennsylvania, against the Branell Creamery Co., a partnership, Philadelphia, Pa., and Anthony J. Branella, a partner.

**ALLEGED VIOLATION:** On or about November 15 and 21, 1949, the defendants caused various quantities of butter to be shipped from the State of Pennsylvania into the State of New Jersey.

On or about November 21, 1949, the defendants received a quantity of butter which had been shipped from the State of Illinois into the State of Pennsylvania, and caused water to be added to it while it was held for sale after shipment in interstate commerce.

**LABEL IN PART:** "8 Ounces Net Weight Unsalted [or "Salted"] Butter Packed For Triangle Poultry Farm Newfield, N. J."

**NATURE OF CHARGE:** Adulteration (butter shipped in interstate commerce), Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted; and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Further adulteration (butter adulterated while held for sale after shipment in interstate commerce), Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk and weight and reduce its quality.

**DISPOSITION:** January 15, 1951. Pleas of nolo contendere having been entered, the court imposed a fine of \$1,250 against each defendant and placed the individual defendant on probation for 2 years.