

19362. Adulteration of wheat. U. S. v. 120,400 Pounds * * *. (F. D. C. No. 33428. Sample No. 49007-L.)

LIBEL FILED: June 28, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about June 6, 1952, by the Stephen Elevator Co., from Stephen, Minn., to Superior, Wis., and thence to Duluth, Minn.

PRODUCT: 120,400 pounds of wheat at Duluth, Minn.

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

DISPOSITION: July 22, 1952. The Ralph Hegman Co., Minneapolis, Minn., 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, conditioned that it be reprocessed by scouring, under the supervision of a representative of the Federal Security Administrator.

The wheat in the instant case and the wheat involved in the case reported in notices of judgment on food, No. 19363, were commingled for purposes of the scouring operations. As a result of such operations, 2,760 pounds of wheat were found unfit and were destroyed.

19363. Adulteration of wheat. U. S. v. 90,000 Pounds * * *. (F. D. C. No. 33457. Sample No. 48676-L.)

LIBEL FILED: July 9, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about June 13, 1952, by the Atlantic Elevator Co., from Dooley, Mont.

PRODUCT: 90,000 pounds of wheat at Duluth, Minn.

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

DISPOSITION: July 22, 1952. The Atlantic Elevator Co., 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 reprocessing by scouring, under the supervision of the Federal Security Agency.

The wheat in the instant case and the wheat involved in the case reported in notices of judgment on food, No. 19362, were commingled for purposes of the scouring operations. As a result of such operations, 2,760 pounds of wheat were found unfit and were destroyed.

DAIRY PRODUCTS

BUTTER

19364. Adulteration of butter. U. S. v. 59 Cases * * *. (F. D. C. No. 33365. Sample No. 8652-L.)

LIBEL FILED: July 15, 1952, Western District of New York.

ALLEGED SHIPMENT: On or about June 26, 1952, by the Harding Cream Division, from Omaha, Nebr.

PRODUCT: 59 cases, each containing 32 1-pound prints, of butter at Horseheads, N. Y.

LABEL, IN PART: "Capital Brand Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance. (Examination disclosed that the product was decomposed and contained filth.)

DISPOSITION: September 15, 1952. Default decree of condemnation and destruction.

19365. Adulteration of preserved butter. U. S. v. 118 Cases * * *. (F. D. C. No. 33319. Sample No. 2128-L.)

LIBEL FILED: June 30, 1952, Western District of North Carolina.

ALLEGED SHIPMENT: On or about April 25, 1952, by the R. T. Overstreet Co., from Norfolk, Va.

PRODUCT: 118 cases, each containing 8 6-pound, 4-ounce cans, of preserved butter at Shelby, N. C.

LABEL, IN PART: (Can) "Preserved Butter (Carter's Spread)."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of rancidity, and it was otherwise unfit for food by reason of its discoloration; and, Section 402 (b) (2), a product containing a vegetable oil had been substituted for butter.

DISPOSITION: November 17, 1952. The Shelby Creamery Co., Shelby, N. C., 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 for nonfood purposes, under the supervision of the Federal Security Agency.

19366. Adulteration and misbranding of butter. U. S. v. 10 Cartons (520 pounds) * * *. (F. D. C. No. 33273. Sample No. 24221-L.)

LIBEL FILED: May 26, 1952, District of New Jersey.

ALLEGED SHIPMENT: On or about April 30, 1952, by the Sunny Brook Dairy Co., from Saratoga Springs, N. Y.

PRODUCT: 10 cartons, each containing 52 pounds, of a mixture of butter and oleomargarine at Newark, N. J.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), colored oleomargarine had been substituted in whole or in part for butter.

Misbranding, Section 403 (b), the product was offered for sale under the name of another food, namely butter.

DISPOSITION: September 2, 1952. Default decree of condemnation. The court ordered that samples of the product be retained by the Food and Drug Administration and that the remainder be delivered to charitable organizations.

EGGS

19367. Adulteration of frozen eggs. U. S. v. Armour & Co. (Wist Produce Co.). Plea of guilty. Fine, \$25. (F. D. C. No. 31567. Sample Nos. 9691-L, 9692-L.)

INFORMATION FILED: July 17, 1952, District of South Dakota, against Armour & Co., a corporation, trading as the Wist Produce Co., Webster, S. Dak.