

ALLEGED SHIPMENT: On or about October 13 and December 3, 1952, from Wichita, Kans., and Crete, Nebr.

PRODUCT: 110 50-pound bags of flour at Iowa City, Iowa, in possession of John Nash Grocery Co., Inc.

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

DISPOSITION: May 11, 1953. John Nash Grocery 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 reconditioning under the supervision of the Department of Health, Education, and Welfare.

The reconditioning operations consisted of segregating and denaturing the unfit portion for use as animal feed. 86 50-pound bags of the product were found unfit.

19707. Adulteration of flour. U. S. v. 48 Sacks * * *. (F. D. C. No. 33956. Sample No. 49462-L.)

LIBEL FILED: On or about October 29, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about May 16, 1952, from Minneapolis, Minn.

PRODUCT: 48 100-pound sacks of flour at New York, N. Y.

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. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 21, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution for use as animal feed.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS *

19708. Adulteration of rice. U. S. v. 4 Bags, etc. (F. D. C. No. 33485. Sample Nos. 65258-L, 65259-L.)

LIBEL FILED: July 23, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about November 7, 1951, from Stuttgart, Ark.

PRODUCT: 15 100-pound bags of rice at Duluth, Minn., in possession of Omaha Dock Number 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 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: September 12, 1952. A default decree was entered ordering that the product be denatured for use as animal feed or be destroyed.

19709. Adulteration of wheat. U. S. v. 85,230 Pounds * * *. (F. D. C. No. 33426. Sample No. 49002-L.)

LIBEL FILED: June 26, 1952, District of Minnesota.

*See also No. 19739.

ALLEGED SHIPMENT: On or about May 26, 1952, by the Farmers Union Grain Terminal Association from Flaxville, Mont.

PRODUCT: 85,230 pounds of wheat at Minneapolis, 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 18, 1952. The Farmers Union Grain Terminal Association, St. Paul, 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 the Federal Security Agency.

The product was reconditioned, and 2,170 pounds of scourings and broken kernels were eliminated and destroyed.

19710. Adulteration of wheat bran and rye meal. U. S. v. 12 Bags, etc. (F. D. C. No. 34124. Sample Nos. 44742-L, 44743-L.)

LABEL FILED: November 10, 1952, District of Massachusetts.

ALLEGED SHIPMENT: On or about August 29, 1952, from Winona, Minn.

PRODUCT: 12 100-pound bags of wheat bran and 40 100-pound bags of rye meal at Lawrence, Mass.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of insects. The products were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 16, 1953. Default decree of condemnation and destruction.

DAIRY PRODUCTS

BUTTER

19711. Adulteration of butter and misbranding of Colby cheese. U. S. v. Fort Dodge Creamery Co. Plea of guilty. Fine of \$450, plus costs. (F. D. C. No. 33823. Sample Nos. 33723-L, 35630-L, 48317-L.)

INFORMATION FILED: January 14, 1953, Northern District of Iowa, against the Fort Dodge Creamery Co., a corporation, Fort Dodge, Iowa.

ALLEGED VIOLATION: On or about March 14, 1941, the defendant gave to a firm engaged in the business of shipping cheese, in interstate commerce, at Lotts Creek, Iowa, a guaranty to the effect that all food products shipped by the defendant to the holder of the guaranty would be neither adulterated nor misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act.

On or about February 20 and March 28, 1952, the defendant shipped a number of boxes of misbranded Colby cheese to the holder of the guaranty, at Lotts Creek, Iowa. In addition, on or about May 10, 1952, the defendant shipped from Fort Dodge, Iowa, to Chicago, Ill., a number of boxes of adulterated butter.

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