CREAM AND MILK

3917. Adulteration of cream. U. S. v. 1 10-gallon Can of Cream. Default decree of condemnation and destruction. (F. D. C. No. 8021. Sample No. 15201–F.)

On July 9, 1942, the United States attorney for the District of Colorado filed a libel against 1 10-gallon can of cream at Denver, Colo., alleging that the article had been shipped in interstate commerce on or about July 4, 1942, by W. E. Thompson from Sheridan, Wyo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On July 9, 1942, the consignee having consented to the entry of an order for immediate destruction of the product, judgment was entered ordering that it be destroyed.

3918. Adulteration of cream. U. S. v. 2 5-Gallon Cans of Cream. Consent decree of condemnation and destruction. (F. D. C. No. 8122. Sample Nos. 15203–F, 15204–F.)

On July 9, 1942, the United States attorney for the District of Colorado filed a libel against 2 5-gallon cans of cream at Denver, Colo., alleging that the article had been shipped in interstate commerce, one can on or about July 4, 1942, by Richard Daugherty, from Alliance, Nebr., and the other can on or about July 5, 1942, by Roy Livingood, Kanorado, Kans.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed animal substance.

On July 9, 1942, the consignee having admitted the allegations of the libel, judgment of condemnation was entered and the product ordered destroyed.

3919. Misbranding of Avoset Stabilized Cream. U. S. v. 199 Cases of Avoset. Default decree of condemnation. Product ordered destroyed or delivered to a public institution. (F. D. C. No. 7859. Sample No. 61942–E.)

On July 6, 1942, the United States attorney for the District of Oregon filed a libel against 199 cases, each containing 36 half-pint bottles of the above-named product at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about May 18, 1942, by Avoset, Inc., from San Francisco, Calif.; and charging that it was misbranded.

The article was alleged to be misbranded in that the statement "30 Per Cent Butterfat," appearing in the labeling, was false and misleading, since it contained less than 30 percent of butterfat; and in that the statement "Stabilized Cream It Keeps," appearing in the labeling, was false, since it suggested that stabilization would keep the article from spoiling, and that it would keep until used, whereas stabilization would not keep it from spoiling and the article would not keep until used, but, after opening, must be kept under refrigeration.

On August 10, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed or delivered to a public institution.

3920. Adulteration of dry skim milk. U. S. v. 134 Drums of Dry Skim Milk. Consent decree of condemnation. Product released under bond for reprocessing for animal feed. (F. D. C. No. 7574. Sample No. 83524–E.)

This product was packed in second-hand shortening drums which contained greasy, gritty material, and had a rancid odor. It contained rodent hairs and nondescript dirt.

On June 22, 1942, the United States attorney for the Northern District of Texas filed a libel against 134 drums of dry skim milk at Fort Worth, Tex., alleging that the article had been shipped in interstate commerce on or about March 29, 1942, by Clark's Dairy from Grand Rapids, Mich.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, and in that it had been packed under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Roller Process Dry Skim Milk."

On August 3, 1942, the Otsego Sanitary Milk Products Co., Otsego, Mich., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reprocessing under the supervision of the Food and Drug Administration and disposal as animal feed.