ALLEGED SHIPMENT: On or about April 26, 1944, from New Orleans, La.

PRODUCT: 25 100-pound bags of powdered sugar at Memphis, Tenn., in the possesion of T. C. Collas & Co. This product had been stored under insanitary conditions after shipment. The bags contained rodent excreta and urine stains. Examination showed that the sugar contained rodent hairs.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 29, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, under the direction of the Federal Security Agency, to be denatured so that it could not be used for human consumption. It was sold and satisfactorily denatured.

7772. Misbranding of Sugarine. U. S. v. 3 Bottles of Sugarine. Default decree of condemnation and destruction. (F. D. C. No. 13844. Sample No. 73636-F.)

LIBEL FILED: October 5, 1944, District of Arizona.

ALLEGED SHIPMENT: On or about May 27, 1944, by the Midwest Chemical Co., Mount Vernon, Ill.

PRODUCT: 3 1-gallon bottles of Sugarine at Phoenix, Ariz.

LABEL, IN PART: (Bottles) "Faulkner's Sugarine A Concentrated Sweetener * * * made with Inverted Sugar, Pure Rock Candy Syrup, Cane Sugar and Saccharine."

VIOLATION CHARGED: Misbranding, Section 403 (a), the label statements, "Has No Food Value," and "We claim no food value for Sugarine," were false and misleading as applied to a product containing 50 percent of sugar, which has substantial food value; the label statement, "This product complies fully with the Federal Pure Food Laws," was false and misleading since the product did not comply with the Federal Food, Drug, and Cosmetic Act; the name "Sugarine" was misleading as applied to a product which contained two or more ingredients and was designated by a name which suggested the name of one, i. e., sugar, but not all of the ingredients; and the label statement, "Contains ¼ of 1% Benzoate of Soda," was false and misleading since the product contained 1.1 percent of benzoate of soda.

DISPOSITION: November 21, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DAIRY PRODUCTS

BUTTER AND CHEESE

7773. Adulteration of butter. U. S. v. 32 Cases of Butter (and 4 other seizure actions against butter). Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 13130, 13142, 15024 to 15026, incl. Sample Nos. 28886-F, 28889-F, 61925-F, 62006-F, 62037-F to 62039-F, incl.)

LIBEL FILED: Between July 10 and November 14, 1944, Eastern District of Louisiana and Southern District of Florida.

ALLEGED SHIPMENT: Between the approximate dates of June 8 and November 2, 1944, by the Fairmont Creamery Co., from Lawton and Guthrie, Okla.

PRODUCT: 49 cases, each containing 32 pounds, of butter at Jacksonville, Fla., and 272 cases, each containing 32 1-pound prints, of butter at New Orleans, La. Examination of samples showed that the product contained mold.

LABEL, IN PART: "Blue Ribbon Brand Butter," "Fairmont's Better Butter," "American Beauty Creamery Butter * * * L. Frank & Co., Inc., New Orleans, La.," or "Silver Brook Brand Butter Distributed by The Great Atlantic and Pacific Tea Company, New York, N. Y."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: Between July 21 and December 13, 1944. The Fairmont Creamery Co., Omaha, Nebr., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond to be converted into refined butter oil, under the supervision of the Food and Drug Administration.