

SHIPPED: 2-1-55, from Buffalo, N. Y.

LIBELED: On or about 6-13-55, E. Dist. Va.

CHARGE: 402 (a) (3)—contained rodent urine; and 402 (a) (4)—held under insanitary conditions.

DISPOSITION: 7-1-55. Consent—claimed by Southern Biscuit Co., Inc., and converted to animal feed.

CHOCOLATE PRODUCTS AND CONFECTIONERY

23679. Bulk chocolate. (F. D. C. No. 39774. S. Nos. 55-520 M, 55-522 M.)

QUANTITY: 6 50-lb. bags at Cincinnati, Ohio.

SHIPPED: 8-29-56, from Brooklyn, N. Y.

LIBELED: 11-20-56, S. Dist. Ohio.

CHARGE: 402 (a) (3)—contained insects and insect webbing while held for sale.

DISPOSITION: 12-5-56. Default—consumption by animals.

23680. Bulk chocolate. (F. D. C. No. 39650. S. Nos. 47-367/9 M.)

QUANTITY: 885 64 ½-lb. ctns. at Reading, Pa.

SHIPPED: On 7-26-56 and during September 1956, from New York, N. Y.

LIBELED: 10-24-56, E. Dist. Pa.

CHARGE: 402 (a) (3)—contained insects while held for sale.

DISPOSITION: 11-1-56. Consent—claimed by General Cocoa Co., Inc., New York, N. Y., as agent for Chocolatera Industrial C. por A., a foreign corporation. Reconditioned; 1,488 lbs. destroyed.

23681. Cocoa. (F. D. C. No. 39542. S. No. 55-314 M.)

QUANTITY: 13 boxes, 100 1¼-oz. envelopes each, at Findlay, Ohio.

SHIPPED: 6-18-56 and 8-2-56, from White Plains, N. Y.

LIBELED: 8-27-56, N. Dist. Ohio.

CHARGE: 402 (a) (3)—contained insects while held for sale.

DISPOSITION: 10-2-56. Default—destruction.

23682. Candy. (F. D. C. No. 39631. S. No. 48-123 M.)

QUANTITY: 38 boxes at Newark, N. J.

SHIPPED: 9-17-56, from Brooklyn, N. Y., by Franklin Novelties Corp.

LABEL IN PART: (Box) "2 c. each 60 count Franklin's Roasted Turkeys. Ing.: Sugar, Corn Syrup, Gelatin, Sorbitol, Artificial Flavor and Certified Colors."

LIBELED: 10-16-56, Dist. N. J.

CHARGE: 402 (a) (3)—contained maggots, insect fragments, fly eggs, and rodent hairs; and 402 (a) (4)—prepared under insanitary conditions.

DISPOSITION: 11-28-56. Default—destruction.

DAIRY PRODUCTS

BUTTER

23683. Butter. (F. D. C. No. 39385. S. Nos. 19-613 M, 55-134 M.)

INFORMATION FILED: 3-1-57, S. Dist. Ind., against Leonard Kohlman, t/a Napoleon Creamery, Napoleon, Ind.

SHIPPED: 7-25-56, from Indiana to Ohio.

LABEL IN PART: (Ctn.) "30# Butter" or "One Pound Net Weight Amelia Dairy Butter Amelia Dairy Co., Bethel, Ohio Distributors."

CHARGE: 402 (a) (3)—contained insect fragments; 402 (a) (4)—prepared under insanitary conditions; 402 (b) (1)—a valuable constituent, milk fat, had been in part omitted from the article; and 402 (b) (2)—a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

PLEA: Guilty.

DISPOSITION: 3-22-57. \$300 fine, plus costs.

23684. Butter. (F. D. C. No. 39402. S. Nos. 33-485 M, 56-607 M, 60-424 M.)

INFORMATION FILED: 2-27-57, Dist. Nebr., against Herman T. Boland and Alfred L. Olson, partners in Bloomfield Creamery, Bloomfield, Nebr.

SHIPPED: Between 7-18-56 and 8-15-56, from Nebraska to Illinois and Iowa.

LABEL IN PART: (Ctn.) "Butter L. D. Schreiber & Co. Inc. Sales Agents for The Marketing Association of America A Cooperative Distributors Chicago 761 Illinois Net Wt. 64" and "Butter 64 Lbs. Net."

CHARGE: 402 (a) (3)—contained insect fragments and other insect filth, and it was prepared with filth-contaminated cream; and 402 (a) (4)—prepared under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 3-28-57. Each defendant fined \$200, plus costs.

23685. Butter. (F. D. C. No. 37155. S. No. 14-189 M.)

QUANTITY: 36 63-lb. cubes and 45 lbs. at Neosho, Mo.

SHIPPED: On 8-12-55, 21 cans of cream were shipped from various places in Oklahoma to Neosho, Mo., and subsequently were used in the manufacture of the butter.

RESULTS OF INVESTIGATION: The butter was found to be made from decomposed cream.

LIBELED: 8-30-55, W. Dist. Mo.

CHARGE: 402 (a) (3)—when shipped, the cream contained a decomposed substance.

DISPOSITION: 10-26-55. Consent—claimed by Cudahy Packing Co., Neosho, Mo., and converted to butter oil.

CHEESE

23686. Cheese. (F. D. C. No. 39365. S. No. 41-339 M.)

INFORMATION FILED: 1-8-57, N. Dist. N. Y., against Wesley J. Alexander, t/a West Martinsburg Cheese Factory, Lowville, N. Y.

ALLEGED VIOLATION: On 2-15-56, the defendant gave to a firm engaged in the business of shipping cheese in interstate commerce a guaranty to the effect that all 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 5-4-56, the defendant shipped a number of boxes of adulterated cheese to the holder of the guaranty at Heuvelton, N. Y.