

DISPOSITION: January 13, 1950. Default decree of condemnation. The court ordered that the product be delivered to the National Zoological Park, for use as animal feed.

15815. Misbranding of candy. U. S. v. 4 Cases * * *. (F. D. C. No. 28394. Sample No. 50785-K.)

LIBEL FILED: November 30, 1949, District of Montana.

ALLEGED SHIPMENT: On or about October 10, 1949, by the Atlantic Candy Co., from Brooklyn, N. Y.

PRODUCT: 4 cases, each containing 12 boxes, of candy at Bozeman, Mont.

LABEL, IN PART: (Boxes) "Mel-O-Pops * * * Net Weight 1 Oz. or over."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the boxes contained less than 1 ounce, the declared weight.

DISPOSITION: February 21, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

SUGAR

15816. Adulteration of cane sugar. U. S. v. 379 Bags * * *. (F. D. C. No. 27731. Sample No. 49540-K.)

LIBEL FILED: August 31, 1949, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about August 15, 1949, by Swift & Co., from Denver, Colo. This was a return shipment.

PRODUCT: 379 100-pound bags of cane sugar at Lockport, La.

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

DISPOSITION: November 17, 1949. Valentine Sugars, Inc., New Orleans, La., claimant, having consented to the entry of a decree, the court ordered that the product be released under bond to be converted into turbinado sugar, under the supervision of the Food and Drug Administration.

15817. Adulteration of cane sugar. U. S. v. 110 Bags * * *. (F. D. C. No. 27740. Sample No. 51889-K.)

LIBEL FILED: On or about September 13, 1949, Northern District of Ohio.

ALLEGED SHIPMENT: On or about July 23 and 30, 1947, from New York, N. Y.

PRODUCT: 110 100-pound bags of cane sugar at Fayette, Ohio, in possession of the Fayette Canning Co.

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 hairs, rodent excreta, and 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: November 2, 1949. The Fayette Canning Co., having appeared as claimant, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was re-refined.