

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of corn sirup and sorghum had been substituted in whole or in part for sorghum, which the product was represented to be.

Misbranding, Section 403 (b), the product was offered for sale under the name of another food; Section 403 (e), it was food in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (2), it was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each such ingredient.

DISPOSITION: May 25, 1951, J. O. Baker and G. E. Crocker, claimants, having consented to the entry of a decree, the court made its findings that the product was misbranded within the meaning of Section 403 (e) in that the container failed to show the net contents thereof, and within the meaning of Section 403 (i) (2) in that the product was not labeled to show that it was fabricated from two or more ingredients and to show the common or usual name of each such ingredient. Consequently, judgment was entered condemning the product and ordering it released under bond for relabeling, under the supervision of the Food and Drug Administration.

17407. Adulteration and misbranding of sorghum sirup. U. S. v. 81 Cans * * *.
(F. D. C. No. 30711. Sample No. 31062-L.)

LIBEL FILED: March 16, 1951, Western District of Tennessee.

ALLEGED SHIPMENT: On or about September 15, 1950, by Jimmie Jones, from Conehatta, Miss.

PRODUCT: 81 cans, each containing 9½ pounds, of sorghum sirup at Memphis, Tenn. This product was shipped in unlabeled cans and was represented by the shipper as "Sorghum." At the time of the seizure, a portion had been relabeled by the consignee.

LABEL, IN PART: (Portion) "Genuine Mississippi Delta Sorghum 9½#."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of sorghum, corn sirup, and sucrose had been substituted in whole or in part for sorghum.

Misbranding, Section 403 (b), It was offered for sale under the name of another food, sorghum; and, Section 403 (i) (2), it was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each such ingredient. Further misbranding (unlabeled portion), Sections 403 (e) (1) and (2), the product was food in package form, and it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents.

DISPOSITION: May 3, 1951. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

17408. Adulteration and misbranding of sorghum sirup. U. S. v. 82 Cans * * *.
(F. D. C. No. 30631. Sample No. 11155-L.)

LIBEL FILED: February 15, 1951, Southern District of Indiana.

ALLEGED SHIPMENT: On or about November 14, 1950, by Roy Lansaw, from Joplin, Mo.

PRODUCT: 82 4½-pound cans of sorghum sirup at Vincennes, Ind.

LABEL, IN PART: "Sorghum."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of sorghum, corn sirup, and sugar had been substituted in whole or in part for sorghum.

Misbranding, Section 403 (a), the label statement "Sorghum" was false and misleading as applied to a mixture containing sorghum, corn sirup, and sugar; and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: March 28, 1951. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

SUGAR

17409. Adulteration of cane sugar. U. S. v. 1,140 Bags * * *. (F. D. C. No. 30468. Sample No. 94469-K.)

LABEL FILED: January 4, 1951, Southern District of Alabama.

ALLEGED SHIPMENT: On or about March 2, 1950, from Havana, Cuba.

PRODUCT: 1,140 100-pound bags of cane sugar at Mobile, Ala.

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

DISPOSITION: February 5, 1951. H. H. Pike & Co., Inc., New York, N. Y., claimant, having admitted that the product was adulterated, judgment of condemnation was entered and the court ordered that the product be released under bond to be segregated, salvaged, or re-refined, under the supervision of the Food and Drug Administration. It was sold on a raw sugar basis to a refinery.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

17410. Action to enjoin and restrain the interstate shipment of adulterated bakery products. U. S. v. Caskey Baking Co., Inc. Decree for injunction entered. Injunction subsequently dismissed. (Inj. No. 195.)

COMPLAINT FILED: June 23, 1948, District of Maryland, against Caskey Baking Co., Inc., Hagerstown, Md.

NATURE OF CHARGE: That the defendant was engaged in the manufacture and interstate distribution of food products, and had been and was at the time of filing the complaint, shipping and causing the shipment into interstate commerce of bread, rolls, and other baked goods which were adulterated under Sections 402 (a) (3) and (4) in that they consisted in part of filthy substances, such as insect fragments, rodent hair fragments, rodent excreta, larvae, and larval head capsules, which had been incorporated into the products during the manufacture and processing thereof, in that the products had been and were being prepared, packed, or held under insanitary conditions at