

5639. Adulteration of whole rye grains. U. S. v. 11 Bags of Whole Rye Grains. Default decree of condemnation and destruction. (F. D. C. No. 12358. Sample No. 76920-F.)

On May 12, 1944, the United States attorney for the Southern District of New York filed a libel against 11 bags, each containing 100 pounds, of whole rye grains at Bronx, N. Y., alleging that the article had been shipped on or about December 13, 1943, by Ben Katz, Heightstown, N. J.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance by reason of the presence of rodents excreta and rodent- and insect-eaten grains. The article was packed in second-hand flour sacks which bore a variety of brand names.

On June 6, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5640. Adulteration of soy grits. U. S. v. 89 Bags of Soy Grits. Consent decree of condemnation. Product ordered released under bond to be reprocessed for feed. (F. D. C. No. 11077. Sample No. 28066-F.)

On November 8, 1943, the United States attorney for the Northern District of Georgia filed a libel against 89 bags, each containing 100 pounds, of soy grits at Atlanta, Ga., alleging that the article had been shipped on or about May 1, 1943, by Allied Mills, Inc., from Peoria, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance because of the presence of weevils, moths, larvae, and insect fragments. It was labeled in part: "KreemKo Soy Grit."

On November 22, 1943, the Nelson Brokerage Co., Atlanta, Ga., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reprocessed for feed, conditioned that it be segregated so that its identity might be maintained, under the supervision of the Food and Drug Administration.

CHOCOLATE, SUGARS, AND RELATED PRODUCTS*

CANDY

5641. Adulteration of candy. U. S. v. 221 Boxes and 25 Boxes of Candy. Decree of condemnation and destruction. (F. D. C. No. 10862. Sample Nos. 47247-F to 47251-F, incl.)

Examination showed that this product contained one or more of the following: Larvae, insect fragments, rodent hair fragments, fragments resembling rodent hair and insects.

On October 1, 1943, the United States attorney for the Eastern District of Arkansas filed a libel against 221 boxes, each containing 30 bars, and 25 boxes, each containing 40 bars, of candy at Brinkley, Ark., alleging that the article, which had been consigned by the Reliable Candy Co., had been shipped in interstate commerce on or about September 4 and 11, 1943, from Memphis, Tenn.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, and decomposed substance, and was otherwise unfit for food. It was labeled in part: "Victory Candy Bar," "Fudge Candy Bar," "Big Roll Candy Bar," or "Peanut Brittle."

On November 9, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5642. Adulteration and misbranding of Spanish peanut bars. U. S. v. 40 Boxes of Spanish Peanut Bars. Default decree of condemnation and destruction. Product ordered delivered to a charitable institution. (F. D. C. No. 12342. Sample No. 63306-F.)

This product was short weight. It was a wax-paper wrapped candy bar of the peanut brittle type and contained peanuts and puffed wheat. The puffed wheat could be readily mistaken for peanuts. The name "Spanish Peanut Bar" was printed in prominent red type while the ingredient statement was in small white type.

On May 17, 1944, the United States attorney for the Southern District of Florida filed a libel against 40 boxes, each containing 20 bars, of the above-named article at Miami, Fla., alleging that it had been shipped on or about April

*See also Nos. 5751, 5769, 5797, 5799.