

9036. Adulteration of popcorn. U. S. v. 18 Bags of Popcorn. Default decree of condemnation and destruction. (F. D. C. No. 15825. Sample No. 17427-H.)

LIBEL FILED: April 7, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 19 and October 23, 1944, by the R. M. Tuttle Popcorn Co., from Spencer, Iowa.

PRODUCT: 18 100-pound bags of popcorn at Rockford, Ill.

LABEL, IN PART: "Flaky-Burst Brand White Dwarf Hull-less Popcorn."

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 pellets; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 23, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9037. Adulteration of popcorn. U. S. v. 165 Bags of Popcorn. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15822. Sample No. 18720.)

LIBEL FILED: March 31, 1945, District of Minnesota.

ALLEGED SHIPMENT: On or about January 15, 1945, from Loveland, Colo.

PRODUCT: 165 110-pound bags of popcorn at Minneapolis, Minn., in the possession of the Pophitt Cereal Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent excreta pellets and rodent hairs.

NATURE OF CHARGE: 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: June 8, 1945. The Pophitt Cereal Co., claimant, having admitted the material allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

9038. Adulteration of popcorn. U. S. v. 52 Bags of Popcorn. Default decree of condemnation. Product ordered sold. (F. D. C. No. 16190. Sample No. 24431-H.)

LIBEL FILED: May 17, 1945, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about December 16, 1944, from Lake View, Iowa.

PRODUCT: 52 100-pound bags of popcorn at New Orleans, La., in the possession of the Commercial Terminal Warehouse Company, Inc. The product was stored under insanitary conditions after shipment. The bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the product contained rodent pellets, rodent hair fragments, and rodent-damaged kernels.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article 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: November 9, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold on condition that it be denatured and disposed of for stock feed or used in the manufacture of alcohol.

9039. Misbranding of candied popcorn. U. S. v. 163 Cases of Candied Popcorn. Consent decree ordering the release of the product under bond. (F. D. C. No. 16389. Sample No. 26138-H.)

LIBEL FILED: June 5, 1945, District of New Mexico.

ALLEGED SHIPMENT: On or about March 10, 17, and 24, 1945, by the Platter-Neff Co., from El Paso, Tex.

PRODUCT: 163 cases, each containing 60 packages, of candied popcorn at Albuquerque, N. Mex. The product was short-weight.

LABEL, IN PART: "S and H Korn Dulsay 10¢ Net weight 3¼ Oz. S & H Products Co., El Paso, Texas."

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.

DISPOSITION: June 16, 1945. The S & H Products Co. having admitted the allegations of the libel, judgment was entered ordering that the product be released under bond for reweighing and repacking under the supervision of the Food and Drug Administration.

9040. Adulteration of rice grits. U. S. v. 100 Bags of Rice Grits. Default decree of condemnation. Product ordered sold to the highest bidder. (F. D. C. No. 15845. Sample No. 22030-H.)

LIBEL FILED: March 30, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 31, 1944, from Crowley, La.

PRODUCT: 100 100-pound bags of rice grits at St. Louis, Mo., in the possession of the Grocers Warehouse.

The article was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the article contained rodent pellets.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article 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: April 27, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, conditioned upon the adoption of safeguards to insure that it would not be disposed of for human consumption.

9041. Adulteration of powdered starch. U. S. v. 50 Bags of Powdered Starch. Default decree of condemnation and destruction. (F. D. C. No. 15847. Sample No. 31520-H.)

LIBEL FILED: March 30, 1945, Southern District of California.

ALLEGED SHIPMENT: Between the approximate dates of December 13 and 28, 1943, from Decatur, Ill.

PRODUCT: 50 140-pound bags of powdered starch at Los Angeles, Calif., in the possession of the Metropolitan Warehouse Co. The product had been stored under insanitary conditions after shipment. Rodent pellets and urine stains were observed on the bags, and examination showed that the product was contaminated with urine.

NATURE OF CHARGE: 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: May 17, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CHOCOLATE, SUGARS, AND RELATED PRODUCTS*

CANDY

9042. Adulteration of candy. U. S. v. Licorice Products Co., Russell H. Andelfinger, and Clyde F. Roberts. Pleas of guilty. Corporate defendant fined \$400; individual defendants fined \$100 each. (F. D. C. No. 15551. Sample Nos. 18331-H, 18332-H, 18871-H, 18874-H.)

INFORMATION FILED: May 28, 1945, Northern District of Iowa, against the Licorice Products Co., a corporation, and Russell H. Andelfinger and Clyde F. Roberts, president and secretary-treasurer, respectively, Dubuque, Iowa.

ALLEGED SHIPMENT: Between the approximate dates of January 19 and March 2, 1945, from the State of Iowa into the State of Minnesota.

LABEL, IN PART: "120 Count 1 Cent Each Four Aces," or "Licorice Rolls."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs, larvae, insect parts, insect fragments, and a mite; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

*See also No. 9039.