

MISCELLANEOUS CEREAL PRODUCTS

12029. Adulteration of oatmeal. U. S. v. 65 Bags * * *. (F. D. C. No. 22148. Sample No. 54345-H.)

LIBEL FILED: January 2, 1947, Western District of North Carolina.

ALLEGED SHIPMENT: On or about June 12, 1946, from Lockport, Ill.

PRODUCT: 65 100-pound bags of oatmeal at Charlotte, N. C., in possession of the Carolina Transfer and Storage Co. The product was stored under insanitary conditions. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the article contained rodent urine.

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: February 3, 1947. Carolina Bakers Supply, Inc., Charlotte, N. C., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be converted into stock feed, under the supervision of the Food and Drug Administration.

12030. Adulteration of popcorn. U. S. v. 71 Bales * * *. (F. D. C. No. 22547. Sample Nos. 68050-H, 68055-H.)

LIBEL FILED: February 25, 1947, District of Nebraska.

ALLEGED SHIPMENT: On or about February 3, 1947, by Charles Penzer, from Marne, Iowa.

PRODUCT: 71 bales of popcorn in 1- and 2-pound cellophane bags at Omaha, Nebr.

LABEL, IN PART: "Yellow Popcorn Packed By Merchants Wholesale Groc. Co. Omaha."

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 insects, rodent excreta, manure, and nondescript dirt.

DISPOSITION: April 11, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12031. Adulteration and misbranding of Honey Coated Cereal. U. S. v. 334 Cases * * *. (F. D. C. No. 22146. Sample No. 65652-H.)

LIBEL FILED: January 3, 1947, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 27, 1946, by Purity Mills, Inc., from Dixon, Ill.

PRODUCT: 334 cases, each containing 24 6-ounce bags, of Honey Coated Cereal at Philadelphia, Pa.

LABEL, IN PART: "Gold Seal Brand Honey Munch Honey Coated Cereal * * * Contents: Sugar, Honey, Wheat."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), puffed wheat, coated with sweetening ingredients other than honey and containing little or no flavor of honey, had been substituted for a honey-coated article.

Misbranding, Section 403 (a), the label designation "Honey Munch," the label statement "Honey Coated Cereal," and the design of a box of honey in the comb on the label were false and misleading.

DISPOSITION: February 3, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

CHOCOLATE AND SACCHARINE PRODUCTS

12032. Misbranding of Chocolate Candy Cup. U. S. v. 60 Boxes * * *. (F. D. C. No. 22275. Sample No. 3979-H.)

LIBEL FILED: On or about February 14, 1947, District of New Jersey.

ALLEGED SHIPMENT: On or about January 14, 1947, by the Chex Co., from Philadelphia, Pa.