

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was adulterated while held for sale after shipment in interstate commerce, since it consisted in whole or in part of a filthy substance by reason of the presence of larvae and insect parts.

DISPOSITION: July 22, 1948. Ohio Brewery, Inc., Columbus, Ohio, claimant, having consented to the entry of the decree, 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.

13239. Adulteration of popcorn. U. S. v. The Bilmar Co., Inc., and William G. Ritton. Pleas of guilty. Fine of \$400 against each defendant. (F. D. C. No. 23576. Sample Nos. 61356-H, 85630-H, 90648-H, 90650-H.)

INFORMATION FILED: November 5, 1947, against Bilmar Co., Inc., Parkersburg, W. Va., and William G. Ritton, president.

ALLEGED SHIPMENT: On or about May 14 and 23, and June 7, 1947, from the State of West Virginia into the States of Virginia and Ohio.

LABEL, IN PART: "Selected Pop Corn, Vegetable Oil, and Salt * * * Manufactured by The Bilmar Company Parkersburg West Virginia."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of adult insects, insect larvae, insect parts, pupae, pupal cases, and rodent hair fragments; and, Section 402 (a) (4), the product had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 10, 1947. Pleas of guilty having been entered on behalf of the defendants, the court imposed a fine of \$100 on each count against each defendant, a total fine of \$800.

13240. Adulteration of popcorn. U. S. v. 83 Cases * * *. (F. D. C. No. 22478. Sample No. 50858-H.)

LIBEL FILED: February 6, 1947, District of Minnesota.

ALLEGED SHIPMENT: On or about March 25, 1946, by the Rustic Glen Foods, from Joliet, Ill.

PRODUCT: 83 cases, each containing 24 10-ounce packages, of popcorn at Minneapolis, Minn.

LABEL, IN PART: "Rustic Glen Brand 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, rodent-gnawed kernels, and weevils.

DISPOSITION: March 27, 1947. Default decree of condemnation. The product was ordered denatured, for use as animal feed, under the supervision of the Food and Drug Administration, or destroyed.

CHOCOLATE AND CONFECTIONERY

13241. Adulteration of chocolate candy. U. S. v. 200 Cartons * * * (and 2 other seizure actions). (F. D. C. Nos. 24579, 24598, 24687. Sample Nos. 8097-K, 18238-K, 30937-K.)

LIBELS FILED: March 25 and 31 and April 15, 1948, District of Connecticut, Southern District of California, and Northern District of Ohio.

ALLEGED SHIPMENT: On or about February 24, 26, and 27, 1948, by Rockwood & Co., from Brooklyn, N. Y.

PRODUCT: Chocolate candy. 200 cartons, each containing 48 13-ounce packages, at Los Angeles, Calif., 40 cases, each containing 5 10-pound slabs, at Cleveland, Ohio, and 6 cases, each containing 25 pounds, at Waterbury, Conn.

LABEL, IN PART: "Rockwood Mint Wafers," "Amber Milk Chocolate," or "Foiled Milk Chocolate Cups."

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

DISPOSITION: May 4 and 12, 1948. Default decrees of condemnation and destruction.