

The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** February 6, 1950. The Barteldes Seed Co., Denver, Colo., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be disposed of in compliance with the law, under the supervision of the Food and Drug Administration. Only 6,950 pounds of the product were seized, and the salvaging operations resulted in 4,897 pounds of recleaned popcorn. The remainder was denatured for use as pigeon feed.

**15906. Adulteration and misbranding of pulverized white oats. U. S. v. 300 Sacks \* \* \*. (F. D. C. No. 28744. Sample No. 79402-K.)**

**LIBEL FILED:** February 28, 1950, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about December 15, 1949, by the La Crosse Milling Co., from Cochrane, Wis.

**PRODUCT:** 300 100-pound sacks of pulverized white oats at Wellesley, Mass.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a mixture of oat mill feed, ground weed seeds, and ground oats had been substituted in whole or in part for pulverized white oats, which the product purported to be.

Misbranding, Section 403 (a), the label statement "Pulverized White Oats" was false and misleading.

**DISPOSITION:** March 23, 1950. The La Crosse Milling Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Food and Drug Administration.

**15907. Adulteration of wheat. U. S. v. 1 Carload \* \* \*. (F. D. C. No. 28557. Sample No. 21570-K.)**

**LIBEL FILED:** On or about December 15, 1949, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about December 6, 1949, by the Farmers Union Cooperative Elevator Assn., from Fairbury, Nebr.

**PRODUCT:** 1 carload of wheat consisting of 120,000 pounds at Kansas City, Mo. Examination disclosed that the car containing the wheat had been plugged with one-eighth musty and other unfit grain and that the top seven-eighths of the car contained sound grain.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of musty and other unfit grain.

**DISPOSITION:** December 19, 1949. The Farmers Union Cooperative Elevator Assn., Fairbury, Nebr., having appeared as claimant, judgment was entered providing for the release of the product under bond, to be brought into compliance with the law, under the supervision of the Food and Drug Administration. A total of 19,770 pounds of wheat was found unfit and was denatured for use as animal feed, and the remainder of the wheat was released for use as human food.

**15908. Adulteration of wheat flakes. U. S. v. 83 Bags \* \* \*. (F. D. C. No. 28606. Sample No. 48600-K.)**

**LIBEL FILED:** December 28, 1949, Western District of New York.

**ALLEGED SHIPMENT:** On or about December 14, 1949, from Reading, Pa. This was a return shipment.

**PRODUCT:** 83 100-pound bags of wheat flakes at Geneva, N. Y.

**LABEL, IN PART:** "Maltoid."

**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 beetles and larvae.

**DISPOSITION:** March 2, 1950. Default decree of condemnation. The court ordered that the product be delivered to a city zoo, for use as animal feed.

## CONFECTIONERY

**15909. Adulteration of candy. U. S. v. 213 Boxes \* \* \*. (F. D. C. No. 28672. Sample No. 62574-K.)**

**LIBEL FILED:** January 5, 1950, District of Connecticut.

**ALLEGED SHIPMENT:** On or about November 7, 1949, by Kazarian Brothers, from Providence, R. I.

**PRODUCT:** 213 boxes of candy at Hartford, Conn.

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

**DISPOSITION:** April 4, 1950. Default decree of condemnation and destruction.

**15910. Adulteration of candy. U. S. v. 54 Cases \* \* \*. (F. D. C. Nos. 28639, 28661. Sample Nos. 71277-K, 71282-K, 71283-K.)**

**LIBEL FILED:** January 9, 1950, Southern District of California.

**ALLEGED SHIPMENT:** On or about December 15, 1949, by the Garlon-Nelson Candy Co., from Texarkana, Ark.

**PRODUCT:** 54 cases, each containing 12 cartons, of candy at Los Angeles, Calif.

**LABEL, IN PART:** "Mint Stick Candy" or "Garlon's Peppermint Sticks Trick or Treat."

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

**DISPOSITION:** February 10, 1950. Default decree of condemnation and destruction.

**15911. Adulteration and misbranding of candy. U. S. v. 13 Cases \* \* \* (and 2 other seizure actions). (F. D. C. Nos. 28316, 28461, 28462. Sample Nos. 57393-K, 57396-K, 57402-K.)**

**LIBELS FILED:** November 25, 1949, District of Connecticut.

**ALLEGED SHIPMENT:** On or about October 21, 1949, by the Marlon Confections Corp., from New York, N. Y.

**PRODUCT:** Candy. 208 cartons at Bridgeport, Conn., 92 cartons at Hartford, Conn., and 92 cartons at New Haven, Conn. Each carton contained 24 1½-ounce units.

**LABEL, IN PART:** (Package) "Marlon Chocolate Double Dipped Strawberries in Cordial."