

Misbranding (60 boxes of candy eggs at Dade City, Fla.), Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Net Wt. 2 Ozs." was inaccurate. (The article was short of the declared weight.)

DISPOSITION: Between March 19 and April 29, 1952. Default decrees of condemnation. The courts ordered that the New Jersey lot be delivered to a county institution, for use as hog feed, and that the other lots be destroyed.

19755. Adulteration of candy. U. S. v. 80 Boxes * * *. (F. D. C. No. 33403. Sample No. 8615-L.)

LIBEL FILED: June 16, 1952, Western District of New York.

ALLEGED SHIPMENT: On or about May 15, 1952, by the Liberty Chocolate Co., from Boston, Mass.

PRODUCT: 80 boxes of candy at Buffalo, N. Y.

LABEL, IN PART: "120 Count 1 Cent Each Pie Plates."

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

DISPOSITION: July 18, 1952. Default decree of condemnation and destruction.

COCOA BEANS

19756. Adulteration of cocoa beans. U. S. v. 198 Sacks * * * (and 1 other seizure action). (F. D. C. Nos. 34087, 34112. Sample Nos. 41421-L, 41422-L.)

LIBELS FILED: October 28 and November 5, 1952, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 7, 1948, and May 19, 1949, from New York, N. Y.

PRODUCT: 198 200-pound sacks and 176 125-pound sacks of cocoa beans at Bethlehem, Pa.

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 live insects and insect-infested beans, and of a decomposed substance by reason of the presence of moldy beans. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 11, 1952. Just Born, Inc., Bethlehem, Pa., claimant, having consented to the entry of a decree and the libel actions having been consolidated, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion under the supervision of the Federal Security Agency. 9 sacks of the product were found unfit and were destroyed.

19757. Adulteration of cocoa beans. U. S. v. 250 Bags * * *. (F. D. C. No. 33521. Sample Nos. 37856-L, 37869-L.)

LIBEL FILED: August 13, 1952, Eastern District of New York.

ALLEGED SHIPMENT: On or about June 9, 1952, from Venezuela.

PRODUCT: 250 bags, each containing 160 pounds, of cocoa beans at Brooklyn, N. Y.

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 live and dead insects. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: August 26, 1952. Schwabach & Co., New York, N. Y., 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 fumigated, reprocessed, and repacked under the supervision of the Federal Security Agency. 31,384 pounds of cocoa beans were salvaged and 449 pounds were destroyed.

19758. Adulteration of cocoa beans. U. S. v. 145 Bags * * *. (F. D. C. No. 33550. Sample No. 37872-L.)

LIBEL FILED: August 27, 1952, Eastern District of New York.

ALLEGED SHIPMENT: On or about April 24, 1951, from a foreign country.

PRODUCT: 145 bags, each containing approximately 160 pounds, of cocoa beans at Brooklyn, N. Y.

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 wormy beans, and of a decomposed substance by reason of the presence of moldy beans. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 7, 1952. Ernest Adler Co., Inc., 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 brought into compliance with the law, under the supervision of the Federal Security Agency. 285 pounds of the product were segregated as unfit and were destroyed.

19759. Adulteration of cocoa beans. U. S. v. 3 Bags * * *. (F. D. C. No. 33517. Sample No. 37857-L.)

LIBEL FILED: August 7, 1952, Eastern District of New York.

ALLEGED SHIPMENT: On or about June 2, 1952, from Ecuador.

PRODUCT: 3 bags containing a total of approximately 528 pounds of cocoa beans at Brooklyn, N. Y.

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-infested cocoa beans, and of a decomposed substance by reason of the presence of moldy cocoa beans. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 27, 1952. Default decree of condemnation and destruction.

CEREALS AND CEREAL PRODUCTS

FLOUR

19760. Adulteration of flour. U. S. v. 111 Bags * * *. (F. D. C. No. 33511. Sample No. 33023-L.)

LIBEL FILED: August 7, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about March 24, 1952, from Higginsville, Mo.

PRODUCT: 111 100-pound bags of flour at Chicago, Ill.