

Misbranding, Section 403 (a), the label statement "Contains 5½% Egg Solids" was false and misleading; and, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for egg noodles since the total solids of the article contained less than 5.5 percent by weight of the solids of egg or egg yolk, the minimum permitted by the definition and standard.

DISPOSITION: July 10, 1953. A plea of nolo contendere having been entered, the court fined the defendant \$150, plus costs.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

20607. Adulteration of unpopped popcorn. U. S. v. Confections, Inc., and Floyd Fall. Pleas of guilty. Fine of \$250 against corporation and \$50 against individual, plus costs. (F. D. C. No. 35140. Sample No. 36295-L.)

INFORMATION FILED: August 24, 1953, Southern District of Iowa, against Confections, Inc., Red Oak, Iowa, and Floyd Fall in charge as foreman of the corporation's Red Oak plant.

ALLEGED SHIPMENT: On or about September 25, 1952, from the State of Iowa into the State of Ohio.

LABEL, IN PART: "Big Boy Popcorn Confections, Inc. Red Oak, Iowa Chicago, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent-gnawed and insect-eaten kernels of corn, and rodent hairs; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 28, 1953. The defendants having entered pleas of guilty, the court imposed a fine of \$250 against the corporation and \$50 against the individual, plus costs.

20608. Adulteration of rice. U. S. v. 42 Bags, etc. (F. D. C. No. 35416. Sample Nos. 59379-L, 59380-L.)

LABEL FILED: September 3, 1953, Northern District of Georgia.

ALLEGED SHIPMENT: On or about September 23, October 19, and December 1, 1952, from Stuttgart and Jonesboro, Ark.

PRODUCT: 94 100-pound bags of rice at Atlanta, Ga.

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

DISPOSITION: October 14, 1953. The Arkansas Rice Growers Co-Op. Association, Stuttgart, Ark., 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 for reconditioning under the supervision of the Department of Health, Education, and Welfare. As a result of the reconditioning operations, 300 pounds of the product were found unfit and were denatured for use as stock feed.

20609. Adulteration of rice. U. S. v. 6 Bags, etc. (F. D. C. No. 35473. Sample Nos. 65226-L, 65227-L.)

LABEL FILED: September 3, 1953, Southern District of Iowa.

ALLEGED SHIPMENT: On or about October 4, 1952, and March 16, 1953, from De Witt, Ark.

PRODUCT: 9 100-pound bags of rice at Burlington, Iowa.

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 urine and insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 10, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use as animal feed.

20610. Adulteration of rice. U. S. v. 9 Bags * * *. (F. D. C. No. 45372. Sample No. 65228-L.)

LIBEL FILED: September 3, 1953, Southern District of Iowa.

ALLEGED SHIPMENT: On or about March 16, 1953, from De Witt, Ark.

PRODUCT: 9 100-pound bags of rice at Burlington, Iowa.

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 and rodent urine. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 10, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use as animal feed.

20611. Adulteration of bakery mix. U. S. v. 4 Bags * * *. (F. D. C. No. 35453. Sample No. 59367-L.)

LIBEL FILED: August 13, 1953, Middle District of Georgia.

ALLEGED SHIPMENT: On or about July 10, 1953, from Tallahassee, Fla.

PRODUCT: 4 100-pound bags of bakery mix at Thomasville, Ga.

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

DISPOSITION: October 28, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 20612 and 20613; that was below the legal standard for milk fat content, Nos. 20614 to 20620.

20612. Adulteration of butter. U. S. v. American Stores Co., Inc (Lakeville Creamery Co.), and J. Kenneth Conner. Pleas of guilty. Fine of \$1,000 against corporation and \$1,000 against individual. (F. D. C. No. 34847. Sample No. 23566-L.)

INFORMATION FILED: May 28, 1953, District of Minnesota, against American Stores Co., Inc., trading as the Lakeville Creamery Co., Lakeville, Minn., and J. Kenneth Conner, general manager of the corporation's Lakeville plant.