

26321. Wheat. (F.D.C. No. 43850. S. No. 83-284 P.)

QUANTITY: 46,740 lbs. at Kansas City, Kans.

SHIPPED: 11-23-59, from Williamsburg, Kans., by Lebo Grain Co., to Kansas City, Mo., and from there to Kansas City, Kans.

LIBELED: 12-7-59, Dist. Kans.

CHARGE: 402(a)(3)—contained rodent excreta pellets when shipped.

DISPOSITION: 12-16-59. Consent—claimed by Lebo Grain Co., Inc. Segregated; 4,090 lbs. found unfit.

26322. Wheat. (F.D.C. No. 43821. S. No. 20-612 P.)

QUANTITY: 120,000 lbs. at Kansas City, Kans.

SHIPPED: 11-16-59, from Western, Nebr., by Hart Grain Co.

LIBELED: 11-30-59, Dist. Kans.

CHARGE: 402(a)(3)—contained rodent excreta pellets when shipped.

DISPOSITION: 12-30-59 and 1-14-60. Consent—claimed by Hart Grain Co., Kansas City, Mo. Segregated; 6,760 lbs. denatured.

26323. Bran and flour. (F.D.C. No. 44216. S. Nos. 90-462/4 P.)

QUANTITY: 5 25-lb. bags of bran and 29 100-lb. bags of flour at New Bedford, Mass., in possession of Luzo Grocery Co., Inc.

SHIPPED: Between 10-22-59 and 12-1-59, from Minneapolis, Minn.

LIBELED: 1-29-60, Dist. Mass.

CHARGE: 402(a)(3)—contained rodent urine and rodent excreta pellets; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 3-14-60. Default—destruction.

26324. Whole wheat mix. (F.D.C. No. 44267. S. No. 90-334 P.)

QUANTITY: 20 100-lb. bags at Portland, Maine.

SHIPPED: 1-4-60, from Milford, Conn., by Rose Mill, Inc.

LABEL IN PART: "Rose Mill * * * 100% Stone Ground Whole Wheat Mix
Rose Mill Incorporated, Milford, Conn."

LIBELED: 3-7-60, Dist. Maine.

CHARGE: 402(a)(3)—contained rodent hair fragments; 402(a)(4)—prepared and packed under insanitary conditions; and 403(i)(2)—the article was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: 3-22-60. Default—delivered to a public institution for use as animal feed.

CHOCOLATE, CHOCOLATE PRODUCTS, AND CONFECTIONERY

CHOCOLATE AND COCOA

26325. Powdered chocolate and cocoa. (F.D.C. No. 44200. S. No. 77-405 P.)

QUANTITY: 49 cases, 12 1-lb. cans each, at Seattle, Wash.

SHIPPED: 11-19-59, from San Francisco, Calif., by D. Ghirardelli Co.

LABEL IN PART: (Can) "Ghirardelli Sweet Ground Chocolate and Cocoa
* * * Manufactured by D. Ghirardelli Co. San Francisco."

LIBELED: 1-22-60, W. Dist. Wash.

CHARGE: 402(a)(3)—contained insects and insects fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 4-4-60. Default—destruction.

26326. Chocolate fudge topping. (F.D.C. No. 43308. S. No. 65-839 P.)

QUANTITY: 4 cases, 24 tubes each, and 18 cases, 6 tubes each, at Olean, N.Y.

SHIPPED: 5-26-59, from Lawrence, Mass., by Lincoln Foods, Inc.

LABEL IN PART: (Tube) "Valley Crest Farms Chocolate Fudge Ice Cream Topping * * * Fortified with Iron and Vitamin "D" * * * 4 Tsp. (48 grams) equals the daily minimum requirements of Vitamin D and Iron. Contents 8 Oz. Net Weight Valley Crest Farms Co., Lawrence, Mass."

LIBELED: 7-20-59, W. Dist. N.Y.

CHARGE: 402(b)(1)—the valuable constituent, iron, had been in part omitted or abstracted from the article when shipped; and 403(a)—the label statement "4 Tsp. (48 grams) equal the daily minimum requirements of * * * iron" was false and misleading as applied to the article which contained .83 milligrams per 48 grams, or 8.89 percent of the minimum daily requirement of iron.

DISPOSITION: 10-14-59. Default—destruction.

26327. Cocoa expeller cake. (F.D.C. No. 43968. S. No. 85-468 P.)

QUANTITY: 685 100-lb. bags at Brooklyn, N.Y.

SHIPPED: Prior to 5-27-57, from Brazil.

LIBELED: 12-23-59, E. Dist. N.Y.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 3-29-60. Consent—claimed by U.S. Cocoa Corp., Camden, N.J., and denatured.

CONFECTIONERY

26328. Candy. (F.D.C. No. 43230. S. Nos. 5-799 P, 27-615 P.)

INFORMATION FILED: 8-31-59, E. Dist. Pa., against H. Segal & Co., a partnership, Philadelphia, Pa., and Marvin H. Segal, partner.

SHIPPED: 3-31-59 and 4-2-59, from Pennsylvania to Minnesota and Maryland.

LABEL IN PART: (Ctn.) "Segal Fruits and Nuts Chocolate Covered Louis Segal Candy Co., Inc. Philadelphia, Pa. One Pound Net"; and "H. Segal's "Far Ginz Ach" Marmalade 14 oz. Net Mfg. by H. Segal & Co., Phila., Pa."

CHARGE: 402(a)(3)—contained insect fragments and rodent hairs; and 402(a)(4)—prepared under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 1-19-60. Each defendant fined \$1,000 and placed on probation for 2 years.

26329. Candy bars. (F.D.C. No. 44060. S. No. 71-569 P.)

QUANTITY: 26 cases, each containing 24 pkgs. of 6 1-oz. individually wrapped bars each, at Columbus, Ohio.

SHIPPED: 10-15-59 and 1-5-60, from Kansas City, Mo., by Sifers Valomilk Confection Co.