

River, and Perth Amboy, N. J.; Shelby, Lincolnton, Hickory, and Hendersonville, N. C.; and Greenville, S. C.

Analyses disclosed that the product contained mineral oil and little or no edible oil. Examination showed that one lot of the product was short-weight.

LABEL, IN PART: "Popcorn * * * Ingredients: Popcorn, Edible Oil, Salt, U. S. Certified Color," "Popcorn Ingredients: Popcorn, Mineral Oil (non-nutritive) Salt, U. S. Certified Color," or "Popcorn Ingredients: Popcorn, Mineral Oil, Salt, U. S. Certified Color."

NATURE OF CHARGE: Adulteration, Section 402 (a) (1), the popcorn contained added mineral oil, a deleterious substance which might have rendered the product injurious to health; Section 402 (b) (1), a valuable constituent, an edible oil, had been in whole or in part omitted from the article; Section 402 (b) (2), a substance consisting of popped corn with artificially colored non-nutritive mineral oil had been substituted in whole or in part for popcorn with edible oil; Section 402 (b) (3), inferiority had been concealed by the addition of artificial color; and, Section 402 (b) (4), artificially colored mineral oil had been mixed and packed with the product so as to reduce its quality or strength and make it appear better or of greater value than it was.

Misbranding, Section 403 (e) (2), one lot of the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: Between May 31, 1945, and March 26, 1946, no claimant having appeared, judgments of condemnation were entered and it was ordered that one lot of the popcorn be delivered to a public institution, for use as hog feed, and that the other lots be destroyed.

8833. Adulteration of popcorn. U. S. v. 69 Bags, 96 Bags, and 165 Bags of Popcorn. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15596. Sample Nos. 28538-H to 28540-H, incl.)

LABEL FILED: March 16, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about December 18, 1944, and January 11, 1945, from Caldwell, Idaho.

PRODUCT: 330 100-pound bags of popcorn at Seattle, Wash., in the possession of the Heck Specialty Co. This product had been stored under insanitary conditions after shipment. Some of the bags were roden-gnawed, and rodent pellets were observed on them. Examination showed that the product contained rodent hairs.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: March 29, 1945. The Heck Specialty Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

8834. Adulteration of shelled popcorn. U. S. v. 52 Bags of Popcorn. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15660. Sample No. 18715-H.)

LABEL FILED: March 24, 1945, District of Minnesota.

ALLEGED SHIPMENT: On or about January 25, 1945, by John B. Mortenson and Co., from Chicago, Ill.

PRODUCT: 52 100-pound bags of shelled popcorn at Minneapolis, Minn.

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 excreta pellets.

DISPOSITION: May 10, 1945. The True Popcorn Co., Minneapolis, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for reprocessing in order to remove all filthy material, under the supervision of the Food and Drug Administration.

8835. Adulteration of popcorn. U. S. v. 100 Bags of Popcorn. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 15755. Sample No. 31039-H.)

LABEL FILED: March 30, 1945, District of Arizona.

ALLEGED SHIPMENT: On or about March 5, 1945, by the Morris Rosenberg Co., from Los Angeles, Calif.

PRODUCT: 100 100-pound bags of popcorn at Phoenix, Ariz.

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 pellets and rodent hairs.

DISPOSITION: April 13, 1945. Allen L. Rosenberg having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be cleaned and repackaged under the supervision of the Food and Drug Administration.

8836. Adulteration and misbranding of popcorn. U. S. v. 200 Cartons of Popcorn. Default decree ordering the product destroyed unless converted into animal feed. (F. D. C. No. 15684. Sample No. 18718-H.)

LABEL FILED: March 29, 1945, District of Minnesota.

ALLEGED SHIPMENT: On or about February 24, 1945, by the Gertz Distributing Co., from Chicago, Ill.

PRODUCT: 200 cartons, each containing 48 8-ounce cans, of popcorn at Minneapolis, Minn. Examination showed that the product contained rodent-gnawed kernels and that it was short-weight.

LABEL, IN PART: "Judmar's Pop-Corn Simply Delicious Net Wt. 8 Ozs."

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-gnawed kernels.

Misbranding, Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: June 13, 1945. No claimant having appeared, judgment was entered ordering that the product be destroyed or converted into animal feed, under the supervision of the Food and Drug Administration.

8837. Adulteration of coated puffed wheat. U. S. v. Confections, Inc. Plea of guilty. Fine, \$50 and costs. (F. D. C. No. 12551. Sample Nos. 29994-F, 65257-F.)

INFORMATION FILED: December 1, 1944, Northern District of Illinois, against Confections, Inc., Chicago, Ill.

ALLEGED SHIPMENT: On or about November 30 and December 20, 1943, from the State of Illinois into the States of California and Montana.

LABEL, IN PART: "Honey Child Sugared-Buttered Ready to Eat Coated Puffed Wheat Honey Flavored."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), mineral oil, a nonnutritive substance, had been substituted in part for "Sugared-Buttered * * * Coated Puffed Wheat Honey Flavored," which the article was represented to be.

DISPOSITION: April 10, 1945. A plea of guilty having been entered, the court imposed a fine of \$50, plus costs.

8838. Adulteration of wheat cereal. U. S. v. 85 Cases of Wheat Cereal. Default decree ordering that the product be destroyed unless converted into animal feed. (F. D. C. No. 15620. Sample No. 18548-H.)

LABEL FILED: March 19, 1945, District of Minnesota.

ALLEGED SHIPMENT: On or about January 30, 1945, by the Nebraska Consolidated Mills Co., from Omaha, Nebr.

PRODUCT: 43 cases, each containing 18 24-ounce packages, and 42 cases, each containing 24 12-ounce packages, of wheat cereal at St. James, Minn.

LABEL, IN PART: "Dixianna Wheat Cereal Energy Food."

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 fragments, insect fragments, and larvae.

DISPOSITION: June 13, 1945. No claimant having appeared, judgment was entered ordering that the product be destroyed or converted into animal feed, under the supervision of the Food and Drug Administration.