

ALLEGED SHIPMENT: On or about May 17 and September 5, 1945, from Lees Summit, Mo., and Van Buren, Ind.

PRODUCT: 155 100-pound bags of popcorn at Atlanta, Ga., in the possession of the Southeastern Bonded Warehouses. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination showed that the product contained rodent pellets, rodent hairs, and larvae, and that a portion was contaminated with rodent urine.

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 may have become contaminated with filth.

DISPOSITION: January 22, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9254. Adulteration of popcorn. U. S. v. 18 Bags of Popcorn. Default decree ordering product destroyed or disposed of as animal feed. (F. D. C. No. 18837. Sample No. 51016-H.)

LABEL FILED: January 10, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about September 25 and 27, 1945, from Schaller, Iowa.

PRODUCT: 18 100-pound bags of popcorn at St. Paul, Minn., in the possession of Red Dot Foods. The product was stored under insanitary conditions after shipment. Rodent excreta and urine stains were observed on the bags, and examination disclosed that the product contained rodent excreta and urine.

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

DISPOSITION: April 5, 1946. No claimant having appeared, judgment was entered ordering that the product be destroyed unless converted into stock feed, and disposed of as such, under the supervision of the Food and Drug Administration.

9255. Adulteration of popcorn. U. S. v. 298 Cases of Popcorn. Default decree of forfeiture and destruction. (F. D. C. No. 18775. Sample No. 37948-H.)

LABEL FILED: January 3, 1946, District of Idaho.

ALLEGED SHIPMENT: On or about May 21, 1945, by the Vee Bee Co., Chicago, Ill.

PRODUCT: 298 cases, each containing 36 8-ounce packages, of popcorn at Lewiston, Idaho.

LABEL, IN PART: "V-Bee Fine Popping Popcorn."

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, larvae, insect parts, and webbing.

DISPOSITION: February 6, 1946. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

9256. Adulteration of popcorn. U. S. v. 22 Cases of Popcorn. Default decree of condemnation and destruction. (F. D. C. No. 19068. Sample No. 13799-H.)

LABEL FILED: On or about February 5, 1946, Northern District of Ohio.

ALLEGED SHIPMENT: On or about November 23, 1945, by Plettman's, from Port Arthur, Tex.

PRODUCT: 22 cases, each containing 32 cans, of popcorn at Cleveland, Ohio.

LABEL IN PART: (Can) "Royale Brand Popcorn Net Weight 12 Oz. When Packed."

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 larvae, insect fragments, and rodent hairs.

DISPOSITION: March 4, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9257. Adulteration of popcorn. U. S. v. 10 Cartons of Pop-Corn. Default decree of condemnation and destruction. (F. D. C. No. 18617. Sample No. 1607-H.)

LABEL FILED: On or about December 24, 1945, Northern District of Georgia.

ALLEGED SHIPMENT: On or about January 30, 1945, by the Gertz Distributing Co., from Chicago, Ill.

PRODUCT: 10 cartons, each containing 48 8-ounce cans, of popcorn at Rome, Ga.

LABEL, IN PART: (Can) "Judmar's Pop-Corn."

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 weevils, larvae, and rodent excreta.

DISPOSITION: January 9, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9258. Adulteration of popover mix. U. S. v. 10 Cartons of Popover Mix. Default decree of condemnation and destruction. (F. D. C. No. 18611. Sample No. 1606-H.)

LABEL FILED: On or about December 24, 1945, Northern District of Georgia.

ALLEGED SHIPMENT: On or about August 13, 1945, by the Cramer Products Co., from New York, N. Y.

PRODUCT: 10 cartons, each containing 24 boxes, of popover mix at Rome, Ga.

LABEL, IN PART: (Box) "Joy Popover Mix Net Wt. 10 Ozs."

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 weevils and larvae.

DISPOSITION: January 9, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9259. Adulteration of wheat cereal. U. S. v. Nebraska Consolidated Mills Co. Plea of nolo contendere. Fine, \$150 and costs. (F. D. C. No. 17805. Sample Nos. 18548-H, 18704-H, 18707-H.)

INFORMATION FILED: February 25, 1946, District of Nebraska, against the Nebraska Consolidated Mills Co., a corporation, Omaha, Nebr.

ALLEGED SHIPMENT: On or about January 30 and February 1 and 8, 1945, from the State of Nebraska into the States of Minnesota and Iowa.

LABEL, IN PART: "Dixianna Wheat Cereal."

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 fragments, rodent hairs, 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: March 25, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$50, plus costs, on each of the 3 counts.

CHOCOLATE, SUGARS, AND RELATED PRODUCTS

CANDY*

9260. Adulteration of candy. U. S. v. Angelo Cataldo (Liberty Chocolate Co.) and Carl Rapucci. Plea of guilty by Angelo Cataldo; fine, \$250. Plea of nolo contendere by Carl Rapucci; fine, \$25. (F. D. C. No. 16569. Sample Nos. 88674-F, 88801-F, 88809-F.)

LABEL FILED: October 15, 1945, District of Massachusetts, against Angelo Cataldo, trading as the Liberty Chocolate Co., and Carl Rapucci, manager.

ALLEGED SHIPMENT: On or about November 22 and 29, 1944, from the State of Massachusetts into the States of Vermont and New Hampshire.

LABEL, IN PART: "Sue Perkins Assorted Chocolates * * * Mfd. by Sue Perkins Chocolate Co. Boston, Mass.," or "Ruth Hawthorne Candies * * * Mfd. For Ruth Hawthorne Candies Boston, Mass."

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 and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 3, 1946. Angelo Cataldo having entered a plea of guilty, and Carl Rapucci having entered a plea of nolo contendere, fines of \$250 and \$25, respectively, were imposed.

*See also Nos. 9251, 9375, 9380, 9381.