

10375. Adulteration of popcorn. U. S. v. 89 Bags * * *. (F. D. C. No. 21378. Sample Nos. 48143-H to 48145-H, incl.)

LIBEL FILED: October 31, 1946, District of Utah.

ALLEGED SHIPMENT: On or about November 2 and December 6 and 7, 1945, by Zion's Wholesale Grocery, from Twin Falls, Idaho.

PRODUCT: 47 24-pound bags and 18 100-pound bags of popcorn at Provo, Utah.

LABEL, IN PART: (Portion) "Dickinson's Little Buster Hulless Popping Corn," or "Baby Golden Popcorn."

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 insect parts and larvae.

DISPOSITION: January 10, 1947. No claimant having appeared, judgment was entered and the product was ordered destroyed by being utilized as animal feed.

10376. Adulteration of popcorn. U. S. v. 33 Bags * * *. (F. D. C. No. 21716. Sample No. 60071-H.)

LIBEL FILED: November 18, 1946, Western District of New York.

ALLEGED SHIPMENT: On or about December 4, 1945, from Valley, Nebr.

PRODUCT: 33 100-pound bags of popcorn at Buffalo, N. Y., in the possession of Granger and Co., Niagara Frontier Food Terminal. The article was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the article contained rodent excreta and larvae.

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: December 16, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10377. Adulteration of popcorn. U. S. v. 29 Bags * * *. (F. D. C. No. 21846. Sample No. 72636-H.)

LIBEL FILED: December 11, 1946, District of Utah.

ALLEGED SHIPMENT: On or about August 2, 1946, by the Peppard Seed Co., from Kansas City, Mo.

PRODUCT: 29 100-pound bags of popcorn at Salt Lake City, Utah.

LABEL, IN PART: "South American Yellow Popcorn."

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, insects, and insect parts.

DISPOSITION: January 13, 1947. The Intermountain Theatres Co., Inc., Salt Lake City, Utah, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Food and Drug Administration.

10378. Adulteration of rice. U. S. v. 452 Bags * * *. (F. D. C. No. 22394. Sample No. 73408-H.)

LIBEL FILED: January 17, 1947, District of Minnesota.

ALLEGED SHIPMENT: On or about October 21, 1946, from San Francisco, Calif.

PRODUCT: 452 100-pound bags of rice at Minneapolis, Minn., in the possession of the Sunland Manufacturing Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta was observed on them. Examination showed that the product contained rodent excreta and rodent hairs.

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), the article may have become contaminated with filth.

DISPOSITION: January 27, 1947. The Sunland Manufacturing Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Federal Security Agency.

10379. Adulteration of rice. U. S. v. 360 Bags * * *. (F. D. C. No. 21736. Sample No. 72649-H.)

LABEL FILED: November 21, 1946, District of Utah.

ALLEGED SHIPMENT: On or about January 23, 1946, by Haslett Pioneer Warehouse, from San Francisco, Calif.

PRODUCT: 360 100-pound bags of rice at Salt Lake City, Utah.

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 and insect excreta.

DISPOSITION: December 3, 1946. J. T. Iwanaga and Suzuko Iwanaga, claimants, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be cleaned under the supervision of the Food and Drug Administration.

10380. Adulteration of rice. U. S. v. 5 Bags * * *. (F. D. C. No. 22344. Sample No. 51696-H.)

LABEL FILED: December 30, 1946, Northern District of Iowa.

ALLEGED SHIPMENT: On or about November 18, 1946, by Swift and Co., from Chicago, Ill.

PRODUCT: 5 100-pound bags of rice at Sioux City, 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 insect parts.

DISPOSITION: January 27, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution, for use as animal feed.

10381. Adulteration of yellow rye dust. U. S. v. 20 Bags * * *. (F. D. C. No. 21326. Sample No. 51660-H.)

LABEL FILED: October 16, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about September 9, 1946, by the Griffith Laboratories, from Chicago, Ill.

PRODUCT: 20 100-pound bags of yellow rye dust at St. Paul, 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 insect parts, insect webbing, and rodent hairs.

DISPOSITION: December 3, 1946. No claimant having appeared, judgment was entered ordering that the product be destroyed unless denatured for use as animal feed, under the supervision of the Food and Drug Administration.

10382. Adulteration and misbranding of honey-flavored wheat cereal. U. S. v. 559 Cases * * *. (F. D. C. No. 21660. Sample No. 64637-H.)

LABEL FILED: On or about November 27, 1946, District of Connecticut.

ALLEGED SHIPMENT: On or about October 25, 1946, by Ranger Joe, Inc., from Chester, Pa.

PRODUCT: 559 cases, each containing 24 6¼-ounce packages, of honey-flavored wheat cereal at Oakland, East Hartford, Conn.

LABEL, IN PART: "Ranger Joe Honey Flavored Wheat."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), puffed wheat coated with sweetening ingredients other than honey and containing little or no flavor of honey had been substituted for honey-flavored wheat, which the article was represented to be.

Misbranding, Section 403 (a), the label designations, "Honey Flavored Wheat" and "The Popped Wheat With the Honey Coating," were false and misleading as applied to puffed wheat coated with sweetening ingredients other than honey and containing little or no flavor of honey.