

14870. Misbranding of canned popcorn. U. S. v. 21 Cases, etc. (F. D. C. No. 26244. Sample Nos. 37653-K, 40937-K, 40938-K.)

LIBEL FILED: December 31, 1948, Western District of Washington.

ALLEGED SHIPMENT: On or about December 6, 1948, by Lowrey's Freshies, Inc., from Denver, Colo.

PRODUCT: 30 cases, each containing 6 cans, of popcorn at Seattle, Wash.

LABEL, IN PART: "Net Weight 5½ Oz. Lowrey's French Fried [or "New Cheese-Flavored"] Popcorn."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The product was short-weight.)

DISPOSITION: May 26, 1949. Default decree of condemnation. The product was ordered delivered to a Federal institution, for use as animal feed.

14871. Adulteration of mixed rye and wheat. U. S. v. 6,314 Bushels * * *. (F. D. C. No. 26503. Sample No. 23722-K.)

LIBEL FILED: February 25, 1949, Southern District of Texas.

ALLEGED SHIPMENT: On or about October 26 and 28, 1948, from St. Paul, Nebr.

PRODUCT: 6,314 bushels of mixed rye and wheat grain at Galveston, Tex.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was insect-infested, the wheat being moldy and discolored and having a musty odor. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 21, 1949. The Transit Grain Co., Fort Worth, Tex., having appeared as claimant, the product was ordered released under bond to be fumigated, treated by heat to kill the mold, and disposed of as animal feed.

14872. Adulteration of rice. U. S. v. 5 Bags * * *. (F. D. C. No. 26505. Sample No. 41131-K.)

LIBEL FILED: February 7, 1949, Western District of Washington.

ALLEGED SHIPMENT: On or about July 19, 1946, from Sacramento, Calif.

PRODUCT: 5 100-pound bags of rice at Seattle, Wash.

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 urine.

DISPOSITION: May 26, 1949. Default decree of condemnation. The product was ordered delivered to a Federal institution, for use as animal feed.

14873. Adulteration of wild rice. U. S. v. 8 Bags, etc. (F. D. C. No. 26134. Sample No. 10120-K.)

LIBEL FILED: December 20, 1948, Northern District of New York.

ALLEGED SHIPMENT: On or about November 4, 1946, from Mankato, Minn.

PRODUCT: 10 100-pound bags of wild rice at New York, N. Y.

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

DISPOSITION: February 23, 1949. Don Spencer Co., Inc., New York, having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for segregation, fumigating, and cleaning, under the supervision of the Food and Drug Administration. Segregation operations resulted in salvaging 857 pounds of the product.

EGGS

14874. Adulteration of frozen eggs. U. S. v. Arthur Redmond Co., Inc. Defendant's motion to dismiss overruled. Plea of guilty. Fine, \$300. (F. D. C. No. 22105. Sample Nos. 16999-H, 57548-H, 63880-H.)

INFORMATION FILED: On July 15, 1947, Southern District of Indiana, against Arthur Redmond Co., Inc., Terre Haute, Ind.

ALLEGED SHIPMENT: On or about May 29, June 25, and August 15, 1946, from the State of Indiana into the States of Illinois, Massachusetts, and Pennsylvania.

LABEL, IN PART: "Dublegg" or "Kirby Kuality Dublegg."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of sour, putrid, and decomposed eggs.

DISPOSITION: On October 1, 1947, the defendant filed a motion that certain allegations of the information be stricken, that the Government furnish a bill of particulars, and that each count of the information be dismissed. After argument before the court, the motion was overruled. On April 15, 1949, a plea of guilty having been entered, the defendant was fined \$300.

14875. Misbranding of dried eggs. U. S. v. 35 Cans * * *. (F. D. C. No. 26903. Sample No. 6182-K.)

LIBEL FILED: March 30, 1949, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about January 19, 1949, by the Coburn Farm Products Co., from New York, N. Y.

PRODUCT: 35 8-ounce cans of dried eggs at Pittsburgh, Pa.

LABEL, IN PART: "Sondra Brand dehydrated whole eggs Contents: 8 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. The cans were short-weight.

DISPOSITION: May 9, 1949. Default decree of condemnation and destruction.

FEEDS AND GRAINS

14876. Adulteration and misbranding of alfalfa meal. U. S. v. 33 Bags * * *. (F. D. C. No. 26409. Sample No. 44228-K.)

LIBEL FILED: January 14, 1949, Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about October 16, 1948, by Bremco Alfalfa Mills, Inc., New Bremen, Ohio.

PRODUCT: 33 100-pound unlabeled bags of alfalfa meal at Erlanger, Ky.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product consisting of 14 percent protein alfalfa meal had been substituted in whole or in part for 17 percent alfalfa meal. (The product was invoiced as "17% Dehydrated Alfalfa Meal.")