

hand was disposed of. Since the Administrator was not satisfied with this, the president of the defendant corporation returned to Omaha and ordered all existing stocks of the questionable carton destroyed. All in all, over 120,000 cartons were destroyed. On May 9, 1945, a local agent of the Administrator came to the company's mill and there found the company's employees cutting and dumping the farina packages. It was not until a year after this incident that any action was taken. On July 6, 1946, this prosecution was commenced.

"The court feels that the policies and purposes of the Act were properly effectuated when the defendant voluntarily destroyed the illicit containers. It has suffered ample pecuniary damage already and there is no question of its good faith attempt to comply with the Act.

"The court therefore finds the defendant Omar, Incorporated, guilty as charged in the information. The sentence will be the imposition of a fine of \$12.50 on each count, or a total of \$25.00 on both counts, together with the costs of this prosecution.

"The defendant Roth is found not guilty and he is therefore discharged and released."

16660. Adulteration of rice. U. S. v. 55 Bags * * *. (F. D. C. No. 29547. Sample No. 34358-K.)

LIBEL FILED: August 26, 1950, District of Nevada.

ALLEGED SHIPMENT: On or about October 12, 1949, from Houston, Tex.

PRODUCT: 55 100-pound bags of rice at Reno, Nev., in possession of Lindley & Co.

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 and rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 22, 1950. Default decree of condemnation and destruction.

16661. Adulteration of brewers rice. U. S. v. 1,000 Bags * * *. (F. D. C. No. 29542. Sample No. 69603-K.)

LIBEL FILED: August 24, 1950, Western District of New York.

ALLEGED SHIPMENT: On or about July 24, 1950, from West Sacramento, Calif., by the Rice Growers Assn. of California.

PRODUCT: 1,000 100-pound bags of brewers rice at Buffalo, N. Y.

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 fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 21, 1950. Willich & Co., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for denaturing, under the supervision of the Federal Security Agency.

CHOCOLATE AND CONFECTIONERY

16662. Adulteration of chocolate coating. U. S. v. 129 Bales * * *. (F. D. C. No. 29505. Sample No. 85532-K.)

LIBEL FILED: July 29, 1950, District of Minnesota.

ALLEGED SHIPMENT: On or about May 26 and 31, 1950, from Elizabethtown, Pa.