

CEREALS AND CEREAL PRODUCTS**BAKERY PRODUCT**

18451. Misbranding of fruit cake, U. S. v. 42 * * *. (F. D. C. No. 32183. Sample No. 25663-L.)

LIBEL FILED: November 26, 1951, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 13, 1951, by the Blue Baking Co., from Brooklyn, N. Y.

PRODUCT: 42 2-pound fruit cakes at Philadelphia, Pa.

LABEL, IN PART: "Rum and Brandy Fruit Cake."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Rum and Brandy" was false and misleading since the product did not have a rum and brandy flavor; and, Section 403 (e) (1), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: April 22, 1952. Default decree of condemnation and destruction.

FLOUR

18452. Adulteration of flour. U. S. v. 273 Bags * * *. (F. D. C. No. 32240. Sample No. 24173-L.)

LIBEL FILED: December 19, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about October 15, 1951, from Toronto, Canada.

PRODUCT: 273 100-pound bags of flour at New York, N. Y., in possession of Morris Erde, Inc.

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

DISPOSITION: January 18, 1952, Morris Erde, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered. The court ordered that the product be released under bond, to be used in the manufacture of dog food, under the supervision of the Food and Drug Administration.

18453. Adulteration of pastry flour. U. S. v. 6 Bags * * *. (F. D. C. No. 32191. Sample No. 24167-L.)

LIBEL FILED: November 27, 1951, Eastern District of New York.

ALLEGED SHIPMENT: On or about October 15, 1951, from Clifton, N. J.

PRODUCT: 6 100-pound bags of pastry flour at Brooklyn, N. Y., in possession of the Friend Cake Baking Co.

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

DISPOSITION: January 16, 1952. Default decree of condemnation and destruction.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

18454. Adulteration of rice. U. S. v. 400 Bags * * *. (F. D. C. No. 32297. Sample Nos. 17131-L, 17132-L.)

LIBEL FILED: December 18, 1951, Southern District of California.

ALLEGED SHIPMENT: On or about April 30, 1951, from Houston, Tex.

PRODUCT: 400 100-pound bags of rice at Los Angeles, Calif.

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, insect fragments, and insect excreta. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 31, 1952. The Kwong Dack Wo Co., 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 to be cleaned under the supervision of the Food and Drug Administration. 37,900 pounds of the product were salvaged by the cleaning process, and 11,000 pounds which were rejected were denatured with fish oil.

18455. Adulteration of rice and lentils. U. S. v. 60 Bags, etc. (F. D. C. No. 32691. Sample Nos. 17139-L to 17141-L, incl.)

LIBEL FILED: February 21, 1952, Southern District of California.

ALLEGED SHIPMENT: On or about September 30, 1950, and October 17 and 26 and November 7, 1951, from Memphis, Tenn., Houston, Tex., and Belmont, Wash.

PRODUCT: 191 100-pound bags of rice and 41 100-pound bags of lentils at Los Angeles, Calif., in possession of Hamilton & Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of rodent urine; and, Section 402 (a) (4), they had been held under insanitary conditions whereby they may have become contaminated with filth. The products were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 5, 1952. Hamilton & Co., Los Angeles, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. Segregation operations resulted in the salvaging of 16,746 pounds of rice and 3,795½ pounds of lentils.

18456. Adulteration of flavored starch flakes. U. S. v. 27 Cartons * * *. (F. D. C. No. 31984. Sample No. 5689-L.)

LIBEL FILED: November 5, 1951, District of Massachusetts.

ALLEGED SHIPMENT: On or about September 25, 1951, by the Nib'l Products Co., from North Olmsted, Ohio.

PRODUCT: 27 cartons, each containing 35 pounds, of flavored starch flakes at Framingham, Mass.