

rolls were intended to be packed in clear cellophane bags on which the distributor's name and address, the quantity of contents, ingredients statements and statements of artificial flavoring and coloring were printed in small type, in colors which were similar to the colors of the product and which did not afford adequate contrast with the candies and candy wrappers in the background.

LIBELED: 4-25-63, Dist. N.J.

CHARGE: 403(f)—the Rocket Pops when shipped, and the licorice rolls (bulk and repacked) while held for sale, were misbranded in that the information required to appear on the label and labeling under 403(e) (1) and (2), 403(i) (2) and 403(k), namely, the name and address of the manufacturer, packer, or distributor, an accurate statement of quantity of the contents, the statement of ingredients, and the declaration of artificial flavoring and coloring, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 11-15-63. Default—destruction.

SUGAR AND HONEY

29239. Sugar. (F.D.C. No. 49098. S. No. 54-158 V.)

QUANTITY: 30 50-lb. bags and 341 100-lb. bags at Salina and Smolan, Kans.

SHIPPED: 3-14-63, from Juniata, Nebr., by CB&Q Railroad, Freight Claims Dept.

RESULTS OF INVESTIGATION: Analysis showed that the sugar contained approximately 3 parts per million of arsenic compound and approximately 3,020 parts per million of boron compound. Investigation disclosed that the article was salvaged sugar from a train wreck in which rail cars containing sugar and borax were involved, and that the sugar had been dumped on the ground where it may have become contaminated with an arsenical weed killer used to treat the track right-of-way.

LIBELED: 7-2-63, Dist. Kans.

CHARGE: 402(a) (2) (A)—when shipped, contained added poisonous deleterious substances, namely, arsenic and boron compounds, which were unsafe within the meaning of 406.

DISPOSITION: 8-23-63. Default—destruction.

29240. Sugar. (F.D.C. No. 47631. S. No. 20-653 T.)

QUANTITY: 14,736 110-lb. bags, at Brownsville, Tex., in possession of Gulfside Warehouse, Inc.

SHIPPED: Between 12-1-61 and 12-31-61, from Mexico.

LIBELED: 6-6-62, S. Dist. Tex.

CHARGE: 402(a) (3)—contained rodent urine and bird excreta; and 402(a) (4)—held under insanitary conditions.

DISPOSITION: 6-27-63. Consent—claimed by M. Golodetz & Co., New York, N.Y., and reconditioned.

29241. Sugar and various dried peas and beans. (F.D.C. No. 48983. S. Nos. 76-884/93 V, 76-895 V.)

QUANTITY: 84 25-lb. bags, 162 100-lb. bags, and 53 50-lb. bags of sugar; 15 100-lb. bags and 100 25-lb. bags of pinto beans; 15 100-lb. bags of red beans;

12 25-lb. bags of black-eyed peas; 61 25-lb. bags of small red beans; 41 25-lb. bags of Great Northern beans; and 10 25-lb. bags of split green peas; at Kansas City, Mo., in possession of Better Foods Wholesale Grocery Co.

SHIPPED: Between 10-22-62 and 3-12-63, from Salt Lake City, Utah, and Gering and Morrill, Nebr.

LIBELED: 5-23-63, W. Dist. Mo.

CHARGE: 402(a) (3)—the sugar, the 15-bag lot of pinto beans, and the Great Northern beans contained rodent urine and excreta pellets, the red beans contained rodent urine; and 402(a) (4)—all the articles were held under insanitary conditions.

DISPOSITION: 7-15-63. Consent—claimed by Better Foods Wholesale Grocery Co. and destroyed because the articles had been damaged during a fire on 8-29-63.

29242 Honey. (F.D.C. No. 48728. S. No. 46-518 V.)

QUANTITY: 36 cases, each containing 12 jars, at St. Louis, Mo.

SHIPPED: 1-31-63, from Batesville, Ark., by Wilson Honey Co.

LABEL IN PART: (Jar) "Wilson's Wild Flower Net Wt. 1 Lb. U.S. Grade A Honey Produced & Packed by Vaughn Wilson Route 4, Batesville, Arkansas."

RESULTS OF INVESTIGATIONS: The article was approximately 3 percent short weight.

LIBELED: 6-26-63, E. Dist. Mo.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents, since the label statement "Net Wt. 1 Lb." was inaccurate.

DISPOSITION: 8-30-63. Default—delivered to charitable institutions.

DAIRY PRODUCTS*

CHEESE

29243. Grated cheese. (F.D.C. No. 48208. S. Nos. 87-003/4 T.)

QUANTITY: 15 cases, each containing 2 boxes of 12 3-oz. cans and 20 cases, each containing 12 1-lb. cans, at Chicago, Ill.

SHIPPED: 6-13-62 and 8-21-62, from Lena, Wis., by Frigo Bros. Cheese Corp.

LABEL IN PART: (Can) "Aged Cheese Frigo * * * Grated Fancy Genuine Italian Cheese Inc.: Parmesan, Romano Asiago Cheese * * * Frigo Cheese Corp. Lena, Wis."

LIBELED: 10-1-62, N. Dist. Ill.

CHARGE: 403(a)—when shipped, the label statement "Fancy Genuine Italian Cheese" was false and misleading, as applied to a product consisting of cheeses of domestic origin, and for which no fancy grade had been established.

DISPOSITION: 12-20-62. Consent—claimed by Frigo Bros. Cheese Corp., for relabeling.

MISCELLANEOUS DAIRY PRODUCTS

29244. Nonfat dry milk. (F.D.C. No. 48990. S. No. 61-234 V.)

QUANTITY: 92 50-lb. bags, at Corpus Christi, Tex., in possession of Scogin Wholesale Grocery.

*See also Nos. 29234, 29235.