RESULTS OF INVESTIGATION: Each can contained a number of small fruitcakes and a small jar of sauce. The information printed on the rim of the can lid was in small type on a nonuniform background, and that on the rum sauce label was printed in very small type on a highly reflective surface.

LIBELED: 2-27-62, E. Dist. N.Y.

CHARGE: 403(a)—when shipped, the label statements (can) "sherry wine" "genuine aged rum" "age-old brandy," and "home-baked" and (jar) "Genuine Rum," and "Age-Old Brandy," were false and misleading as applied to products containing little or none of these ingredients; and which were not home-baked; 403(e)—the label of the sauce jar failed to bear (1) the manufacturer's name and place of business and (2) a statement of the quantity of the contents; 403(f)—the information required under sections 403(e) (1) and (2), 403(i)(2), and 403(k), namely, (can) the name and address of the manufacturer, and the quantity of contents statement; (can and jar) the common or usual name of each ingredient; the declaration of artificial flavor and color, 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 by the ordinary individual under customary conditions of purchase and use; and 403(k)—the label failed to declare the fact that the sodium propionate was a chemical preservative.

DISPOSITION: 7-26-62. Default—destruction (the article having become unfit after the seizure was made).

CORNMEAL

29405. Cornmeal. (F.D.C. No. 49535. S. Nos. 69-300 V, 69-666/7 V, 69-722 V, 3-221/2 X, 3-787/9 X.)

INFORMATION FILED: 1-31-64, E. Dist. N.C., against Samuel H. James, owner of a cornmeal mill, Ahoskie, N.C.

SHIPPED: Between 4-16-63 and 7-8-63, from Ahoskie, N.C., to Whaleyville, Va.

LABEL IN PART: (Bag) "2 Lbs. Net Wt. [or "5 Lbs. Net Weight"] North Carolina White [or "Yellow"] Corn Meal Packed By Samuel H. James Ahoskie, N.C."

CHARGE: 402(a)(3)—contained insects, insect fragments, insect webbing, and rodent hair fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 3-25-64. $900 fine of which $400 remitted, and probation for 18 months.

29406. Cornmeal. (F.D.C. No. 48527. S. Nos. 5-519 T, 5-326/8 T, 5-334 T, 5-341/3 T, 85-741 T, 85-743 T.)

INFORMATION FILED: 4-24-63, E. Dist. N.C., against Chowan Milling Co., Inc., Como, N.C., and Davis B. Spiers, Sr., president.

SHIPPED: Between 5-10-62 and 8-31-62, from Como, N.C., to Salisbury, Md., and Norfolk, Va.

LABEL IN PART: (Bag) "2 [or "5"] Lbs. Net Wt. White Plain [or "Self Rising"] Corn Meal Milled By Chowan Milling Co., Inc. Como, N.C."

CHARGE: 402(a)(3)—contained insects, insect fragments, and rodent hair fragments; and 402(a)(4)—held under insanitary conditions.