

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS*

10241. Adulteration of buckwheat. U. S. v. 250 Bags of Buckwheat. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17216. Sample No. 13748-H.)

LIBEL FILED: On or about September 10, 1945, Northern District of Ohio.

ALLEGED SHIPMENT: On or about May 18, 1945, from Janesville, Wis.

PRODUCT: 250 100-pound bags of buckwheat at Cleveland, Ohio, in possession of Basic Food Materials, Inc. The product was stored under insanitary conditions after shipment. The premises were heavily rodent- and insect-infested, and examination showed that the product contained weevils, larvae, and insect fragments.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 1, 1945. Basic Food Materials, Inc., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be denatured for use as chicken feed, under the supervision of the Food and Drug Administration.

10242. Adulteration of corn bread mix. U. S. v. 47 Cases of Corn Bread Mix. Default decree of condemnation and destruction. (F. D. C. No. 17189. Sample No. 28766-H.)

LIBEL FILED: August 27, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about July 14, 1945, by Red-EE Foods, Inc., from Los Angeles, Calif.

PRODUCT: 47 cases, each containing 24 1-pound packages, of corn bread mix at Seattle, Wash.

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

DISPOSITION: January 17, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10243. Adulteration of popcorn. U. S. v. 1,125 Cases of Popcorn (and 2 other seizure actions against popcorn). Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 17938, 18020, 18021. Sample Nos. 36432-H, 36434-H, 36436-H.)

LABELS FILED: October 17 and 23, 1945, District of Oregon.

ALLEGED SHIPMENT: Between the approximate dates of May 15 and June 13, 1945, by the Morris Rosenberg Co., from Los Angeles, Calif.

PRODUCT: 1,218 cases, each containing 24 10-ounce bags, of popcorn at Portland, Oreg.

LABEL, IN PART: "Rose Brand Popcorn."

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 excreta, weevils, and larvae.

DISPOSITION: November 16, 1945. Morris Rosenberg, claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond, conditioned that it be disposed of only in compliance with the law, under the supervision of the Food and Drug Administration.

10244. Adulteration of popcorn. U. S. v. 40 Cases of Popcorn (and 2 other seizure actions against popcorn). Default decrees of condemnation. Portion of product ordered destroyed; remainder ordered delivered to public institutions. (F. D. C. Nos. 17316, 18375-A, 18515. Sample Nos. 28993-H, 31154-H, 36479-H.)

LABELS FILED: August 25, November 27, and December 10, 1945, District of Arizona and Eastern and Western Districts of Washington.

*See also Nos. 10220, 10223.

ALLEGED SHIPMENT: On or about April 9 and May 22 and 28, 1945, by the Morris Rosenberg Co., from Los Angeles, Calif.

PRODUCT: Popcorn. 40 cases at Phoenix, Ariz., 75 cases at Wenatchee, Wash., and 15 cases at Seattle, Wash., each case containing 24 10-ounce packages of the product.

LABEL, IN PART: "Rose Brand Popcorn."

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, beetles, larvae, insect fragments, and insect excreta.

DISPOSITION: November 13, 1945, and January 9 and April 4, 1946. No claimant having appeared, judgments of condemnation were entered and it was ordered that the Wenatchee lot be destroyed; that the Seattle lot be delivered to a Federal penitentiary; and that the Phoenix lot be delivered to a Federal school, for use as poultry feed.

10245. Adulteration of popcorn. U. S. v. 222 Bags of Popcorn. Default decree of condemnation. Product ordered sold. (F. D. C. No. 17680. Sample No. 21905-H.)

LABEL FILED: October 2, 1945, Western District of Tennessee.

ALLEGED SHIPMENT: Between the approximate dates of October 29 and December 29, 1944, by the Taylor Seed Co., from Murray, Ky.

PRODUCT: 222 100-pound bags of popcorn at Memphis, Tenn.

LABEL, IN PART: (Portion of bags) "High Quality South American Pop-Corn."

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 weevils and larvae.

DISPOSITION: December 7, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold to be denatured, under the supervision of the Federal Security Agency, and disposed of for purposes other than human consumption.

10246. Adulteration of popcorn. U. S. v. 71 Bags of Popcorn. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16411. Sample No. 13272-H.)

LABEL FILED: June 8, 1945, Southern District of Indiana.

ALLEGED SHIPMENT: On or about December 21, 1944, from Trenton, Ky.

PRODUCT: 71 100-pound bags of popcorn at Indianapolis, Ind., in possession of the Henry Coburn Storage and Warehouse Co. The product was stored under insanitary conditions after shipment. Rodent excreta and urine stains were observed on the bags, and examination showed that the product contained rodent hair fragments and urine.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 18, 1945. The Karmelkorn Shop, Indianapolis, Ind., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that all filth be completely removed under the supervision of the Federal Security Agency.

10247. Adulteration of popcorn. U. S. v. 30 Bags of Popcorn. Default decree of condemnation. Product ordered sold to be denatured. (F. D. C. No. 17721. Sample No. 35105-H.)

LABEL FILED: October 3, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about September 18, 1945, by Nebraska Candy Concessions, Inc., from Missouri Valley, Iowa.

PRODUCT: 30 100-pound bags of popcorn at St. Louis, Mo.

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 excreta pellets.