11720. Adulteration of popcorn. U. S. v. 37 Bags * * *. (F. D. C. No. 21373. Sample No. 72615–H.)

LIBEL FILED: November 19, 1946, District of Utah.

ALLEGED SHIPMENT: On or about November 2 and 20, 1945, from Nampa, Idaho.

PRODUCT: 37 100-pound bags of popcorn at Salt Lake City, Utah, in possession of John Scowcroft & Sons Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent excreta, rodent-gnawed kernels, and larvae.

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: December 20, 1946. Default decree ordering product used for animal feed, under the supervision of the United States marshal.

11721. Adulteration of cracked wheat and misbranding of flour. U. S. v. 108 Sacks, etc. (and 1 other seizure action). (F. D. C. Nos. 21423, 22862. Sample Nos. 52683–H, 91829–H.)

LIBELS FILED: November 5, 1946, and April 21, 1947, Southern District of Indiana and District of New Mexico.

ALLEGED SHIPMENT: On or about August 30, 1946, and March 1, 1947, by General Mills, Inc., from Minneapolis, Minn., and Amarillo, Tex.

PRODUCT: 108 100-pound sacks of cracked wheat at Indianapolis, Ind., and 119 cases, each containing 10 bags, of flour at Clovis, N. Mex.

LABEL, IN PART: "Gold Medal Cracked Wheat," or "5 Lbs. Washburn Crosby Gold Medal Flour Enriched Flour."

NATURE OF CHARGE: Cracked wheat. Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae.

Flour. Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The bags contained less than the declared weight.)

DISPOSITION: February 19 and May 21, 1947. No claimant having appeared, judgments of condemnation were entered and the Indianapolis lot was ordered destroyed and the Clovis lot was ordered delivered to a charitable institution.

11722. Adulteration of crushed wheat. U. S. v. 92 Bags * * *. (F. D. C. No. 21383. Sample No. 35803–H.)

LIBEL FILED: October 28, 1946, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about September 14, 1946, by Pillsbury Mills, Inc., from Atchison, Kans.

PRODUCT: 92 100-pound bags of crushed wheat at St. Louis, Mo.

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 beetles.

DISPOSITION: November 30, 1946. Pillsbury Mills, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for conversion into stock feed, under the supervision of the Federal Security Agency.

CHOCOLATE AND RELATED PRODUCTS

CANDY

11723. Alleged misbranding of candy. U. S. v. 193 Cartons * * *. Tried to the court. Judgment dismissing libel. (F. D. C. No. 18373. Sample No. 12081–H.)

LIBEL FILED: November 14, 1945, District of Rhode Island.

ALLEGED SHIPMENT: On or about October 8, 1945, by the Liberty Chocolate Co., from Boston, Mass.

PRODUCT: 193 cartons of candy at Providence, R. I.