13043. Misbranding of spaghetti. U. S. v. 700 Cases, etc. (F. D. C. No. 22789. Sample Nos. 63018–H, 63019–H.)

LIBEL FILED: April 1, 1947, Territory of Hawaii.

ALLEGED SHIPMENT: On or about February 10, 1947, by American Factors, Ltd., San Francisco, Calif.

PRODUCT: 700 cases, each containing 24 8-ounce packages, and 200 cases, each containing 48 8-ounce packages, of spaghetti at Honolulu, T. H.

LABEL, IN PART: "Hunts Fontana Brand Semolina Spaghetti * * * Fontana Food Products Company, South San Francisco, California."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the article was so filled as to be misleading, since the article in the 700 cases occupied only about 61 percent and that in the 200 cases occupied only 58 percent, of the volume of the packages.

DISPOSITION: August 1, 1947. Hunt Foods, Inc. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be disposed of in compliance with the law, under the supervision of the Food and Drug Administration. On February 25, 1948, the product was utilized as hog feed.

MISCELLANEOUS CEREAL AND CEREAL PRODUCT

13044. Adulteration of popcorn. U. S. v. Milton Sigg Popcorn Co. Plea of nolo contendere. Fine, $100 and costs. (F. D. C. No. 22102. Sample Nos. 8902–H, 51053–H.)

INFORMATION FILED: August 18, 1947, Northern District of Ohio, against the Milton Sigg Popcorn Co., a partnership, Napoleon, Ohio.

ALLEGED SHIPMENT: On or about January 25 and February 6, 1946, from the State of Ohio into the States of New York and Minnesota.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent excreta, rodent hairs, and rodent-gnawed kernels; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 20, 1947. A plea of nolo contendere having been entered, the defendant was fined $100 on each of the two counts, plus costs. The fine imposed on the second count was suspended.

13045. Adulteration of popcorn. U. S. v. 331 Bags * * *. (F. D. C. No. 16170. Sample No. 29161–H.)

LIBEL FILED: May 11, 1945, Northern District of California.

ALLEGED SHIPMENT: On or about March 20, 1945, by Arch Quirk, from Odebolt, Iowa.

PRODUCT: 331 100-pound bags of popcorn at Oakland, Calif.

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 and rodent-gnawed kernels.

DISPOSITION: May 17, 1945. J. Ray Fry and Associates having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

13046. Adulteration of popover mix. U. S. v. 8 Cases * * *. (F. D. C. No. 24306. Sample No. 9277–K.)

LIBEL FILED: January 20, 1948, District of New Jersey.

ALLEGED SHIPMENT: On or about November 26, 1947, by the Cramer Products Co., from New York, N. Y.

PRODUCT: 8 cases, each containing 24 10-ounce boxes, of popover mix at Passaic, N. J.

LABEL, IN PART: "Joy Popover Mix * * *."

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 and larvae.

DISPOSITION: April 5, 1948. Default decree of condemnation and destruction.