15603. Misbranding of sirups. U. S. v. 175 Baskets * * *. (F. D. C. No. 27749. Sample Nos. 61012–K, 61013–K.)

LIBEL FILED: On or about September 19, 1949, Western District of Missouri.

ALLEGED SHIPMENT: On or about February 28, 1949, by the J & M Trading Co., from Rock Island, Ill.

PRODUCT: 175 bushel baskets, each containing numerous bottles, of various types of sirups at Warrensburg, Mo. Examination showed that the products were fire-damaged, and that some bottles were unlabeled, some partially labeled, and some labeled with various brand names.

NATURE OF CHARGE: Misbranding, Section 403 (e) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents; Section 403 (i) (1), the label of the article failed to bear the common or usual name of the article; and, Section 403 (i) (2), the article was fabricated from two or more ingredients, and the label failed to bear the common or usual name of each such ingredient.

DISPOSITION: October 25, 1949. Default decree of destruction.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

15604. Adulteration of ice cream cones. U. S. v. 5 Cases, etc. (and 1 other seizure action). (F. D. C. Nos. 28045, 28046. Sample Nos. 61256–K to 61260–K, incl.)

LIBELS FILED: October 25 and 26, 1949, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about May 5 and August 22, 25, and 29, 1949, by the Woolwine Cone Co., from Memphis, Tenn.

PRODUCT: 5 cases and 9 cans containing approximately 14,000 ice cream cones at Little Rock, Ark., and 24 cans containing approximately 12,000 ice cream cones at North Little Rock, Ark.

LABEL, IN PART: (Portion) "Honey Comb Real Cake Cones" or "Bully Boy Ice Cream Cones."

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

DISPOSITION: December 8, 1949. Default decrees of condemnation and destruction.

15605. Adulteration of ice cream cones. U. S. v. 6 Cans * * *. (F. D. C. No. 27887. Sample No. 61666–K.)

LIBEL FILED: September 27, 1949, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about September 7, 1949, by the Woolwine Cone Co., from Memphis, Tenn.

PRODUCT: 6 cans of ice cream cones at Cairo, Ill.

LABEL, IN PART: "1000 Bully Boy Ice Cream Cones."

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

DISPOSITION: October 14, 1949. Default decree of condemnation and destruction.

15606. Adulteration of ice cream cones. U. S. v. 21 Cans * * *. (F. D. C. No. 28056. Sample No. 62655-K.)

LIBEL FILED: On or about October 20, 1949, District of Rhode Island.

ALLEGED SHIPMENT: On or about August 20, 1949, by Purity Sugar Cone & Confectionery Co., Inc., from Charlestown, Mass.

PRODUCT: 21 cans each containing 175 ice cream cones at Pawtucket, R. I.

LABEL, IN PART: "Purity Sugar Cone and Confectionery Company Inc. Manufacturers of High Grade Cones Pure Sweet Crisp."

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 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: November 30, 1949. Default decree of condemnation and destruction.

CORN MEAL*

15607. Adulteration and misbranding of corn meal. U. S. v. Charles B. Thomas (Vernon Milling Co.). Plea of guilty. Defendant fined $250 and placed on probation for 3 years. (F. D. C. No. 26767. Sample Nos. 23619-K, 23628-K to 23631-K, incl.)

INFORMATION FILED: April 26, 1949, Northern District of Alabama, against Charles B. Thomas, trading as the Vernon Milling Co., Vernon, Ala.

ALLEGED SHIPMENT: On or about September 14 and 23, 1948, and October 5 and 7, 1948, from the State of Alabama into the State of Mississippi.

LABEL, IN PART: "Dixie White Corn Meal Enriched."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments, rodent excreta fragments, insects, rodent hair fragments, and insect excreta pellets; Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth; and, Section 402 (b) (1), valuable constituents, thiamine (vitamin B_1) and riboflavin, had been in part omitted.

Misbranding, Section 403 (g) (1), the product purported to be and was represented as enriched white corn meal, and it failed to conform to the definition and standard of identity for enriched white corn meal since each pound of the product contained less than 2 milligrams of thiamine (vitamin B_1) and less than 1.2 milligrams of riboflavin.

DISPOSITION: January 6, 1950. A plea of guilty having been entered, the defendant was fined $250 and placed on probation for a period of 3 years.

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*See also No. 15609.