

**DISPOSITION:** May 19, 1950. The Quong Fat Co., San Francisco, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for the segregation of the uncontaminated portion from the contaminated portion, under the supervision of the Food and Drug Administration. 139 sacks of the product were segregated as unfit for human consumption and denatured for use as animal or poultry feed.

**16307. Adulteration of rice. U. S. v. 40 Bags \* \* \* (and 1 other seizure action).** (F. D. C. No. 27729. Sample Nos. 60532-K, 60533-K.)

**LIBELS FILED:** September 16, 1949, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about January 8, 1949, from South Dos Palos, Calif.

**PRODUCT:** 205 100-pound bags of rice at Chicago, Ill., in possession of Wakem & McLaughlin, Inc.

**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; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** November 8, 1949, and June 6, 1950. Default decrees of condemnation were entered and the court ordered that 40 bags of the product be delivered to a public institution, for use as animal feed, and that 165 bags be destroyed.

**16308. Adulteration of wheat. U. S. v. 93,000 Pounds \* \* \*. (F. D. C. No. 29279. Sample No. 70890-K.)**

**LIBEL FILED:** On or about June 20, 1950, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about June 6, 1950, by the Schroer Grain Co., from Dresden, Kans.

**PRODUCT:** 93,000 pounds of wheat at North Kansas City, Mo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product was unfit for food by reason of the presence of musty wheat.

**DISPOSITION:** June 23, 1950. George Olson, trading as the Schroer Grain Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. 45,100 pounds of unfit wheat was segregated and utilized in the manufacture of stock feed.

**16309. Adulteration of tapioca. U. S. v. 36 Bags \* \* \*. (F. D. C. No. 29319. Sample No. 73017-K.)**

**LIBEL FILED:** May 17, 1950, Southern District of New York.

**ALLEGED SHIPMENT:** The product was imported from Brazil.

**PRODUCT:** 36 130-pound bags of tapioca at New York, N. Y.

**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. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** July 6, 1950. Catz American Co., Inc., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was en-

tered and the court ordered that the product be released under bond, conditioned that 4 bags of the product which appeared to be badly damaged, be destroyed; that the contaminated portion of 6 other bags be segregated and destroyed; and that the remaining 26 bags and the salvaged portion of the 6 bags be repacked into new containers, under the supervision of the Food and Drug Administration.

## CHOCOLATE AND CANDY

### CHOCOLATE

**16310. Adulteration of chocolate liquor. U. S. v. 126 Cartons \* \* \*. (F. D. C. No. 28865. Sample No. 64054-K.)**

**LIBEL FILED:** February 21, 1950, District of Minnesota.

**ALLEGED SHIPMENT:** On or about October 13, 1947, from Fulton, N. Y.

**PRODUCT:** 126 Cartons, each containing 5 10-pound slabs, of chocolate liquor at St. Paul, Minn.

**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 and insect fragments. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** April 12, 1950. The Garrott Candy Co., St. Paul, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and reprocessing, under the supervision of the Food and Drug Administration. The chocolate was cleaned by scraping and brushing. Approximately 200 pounds of scrap chocolate were denatured.

### CANDY

**16311. Misbranding of candy. U. S. v. 16<sup>82</sup>/<sub>96</sub> Cases \* \* \*. (F. D. C. No. 28376. Sample No. 68401-K.)**

**LIBEL FILED:** December 22, 1949, Western District of Washington.

**ALLEGED SHIPMENT:** On or about October 31, 1949, by Garcia & O'Connell, Sebastopol, Calif.

**PRODUCT:** 16<sup>82</sup>/<sub>96</sub> cases, each full case containing 96 packages of candy at Seattle, Wash.

**LABEL, IN PART:** "Neat N' Sweet to Wear N' Eat Eaty-Beads \* \* \* Net Wt. 1<sup>3</sup>/<sub>4</sub> oz."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product was food in package form, and it failed to bear a label containing an accurate statement of the quantity of the contents. (Examination showed that the product was short of the declared weight.)

**DISPOSITION:** May 25, 1950. A default decree of condemnation was entered. Accordingly, the court ordered that the product be delivered to a charitable institution.

**16312. Misbranding of candy. U. S. v. 10 Cases \* \* \*. (F. D. C. No. 29019. Sample No. 72566-K.)**

**LIBEL FILED:** March 24, 1950, Eastern District of Kentucky.

**ALLEGED SHIPMENT:** On or about January 7, 1950, by Bennett Candies, Inc., from Waco, Tex.