

**MISCELLANEOUS CEREALS AND CEREAL PRODUCTS**

**17212. Adulteration of brewers rice. U. S. v. Rosenberg Bros. & Co., Inc. Plea of nolo contendere. Fine, \$1,750. (F. D. C. No. 29656. Sample Nos. 46788-K, 48804-K, 48805-K, 48866-K, 48871-K, 69397-K, 69398-K.)**

**INFORMATION FILED:** January 3, 1951, Northern District of California, against Rosenberg Bros. & Co., Inc., Biggs, Calif.

**ALLEGED SHIPMENT:** On or about December 2, 8, and 29, 1949, and January 6 and 16, April 21, and May 2, 1950, from the State of California into the State of Pennsylvania.

**LABEL, IN PART:** "Brewers Rice \* \* \* 100 Lbs. Net Weight."

**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 pellet fragments, rodent hair fragments, whole insects, and insect excreta; and, Section 402 (a) (4), the product had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** April 17, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$1,750.

**17213. Adulteration of rice and brewers rice. U. S. v. Rice Growers Assn. of California, a corporation, and George W. Brewer and Carlton C. Chesley. Pleas of nolo contendere. Corporation fined \$2,200; defendant Brewer, \$550; and defendant Chesley, \$275. (F. D. C. No. 30075. Sample Nos. 35549-K to 35551-K, incl., 69603-K, 72832-K, 72838-K, 79115-K, 84180-K, 84384-K, 85441-K, 85535-K.)**

**INFORMATION FILED:** January 25, 1951, against the Rice Growers Assn. of California, a corporation, Sacramento, Calif., and George W. Brewer, general manager, and Carlton C. Chesley, production superintendent of the corporation.

**ALLEGED SHIPMENT:** On or about June 20 and 30, July 10, 14, 17, 21, 24, and 25, and August 4, 1950, from the State of California into the States of Ohio, Minnesota, New York, and Washington.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of beetles, beetle heads, larvae, larvae heads, fragments of beetles and larvae, and rodent hair fragments; and, Section 402 (a) (4), the product had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** March 26, 1951. Pleas of nolo contendere having been entered, the court imposed fines of \$2,200 against the corporation and \$550 and \$275, respectively, against the individual defendants, George W. Brewer and Carlton C. Chesley.

**17214. Adulteration of rice. U. S. v. 61 Bags \* \* \*. (F. D. C. No. 29487. Sample No. 75776-K.)**

**LIBEL FILED:** July 7, 1950, District of Minnesota.

**ALLEGED SHIPMENT:** On or about February 14, 1950, by Rickert, Wessanen & Laan, Inc., from New Orleans, La.

**PRODUCT:** 61 100-pound bags of rice at Minneapolis, Minn.

**LABEL, IN PART:** "Lord Rickert Rice."

**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 parts.

**DISPOSITION:** September 5, 1950. The shipper having appeared as claimant and consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be reconditioned or denatured for use as animal feed, under the supervision of the Food and Drug Administration. Reconditioning operations resulted in the salvage of 50½ 100-pound bags; about 50 pounds of waste material from the cleaning process was ground into animal feed.

**17215. Adulteration and misbranding of Coco-Wheats cereal. U. S. v. Little Crow Milling Co. Plea of nolo contendere. Fine of \$100, plus costs. (F. D. C. No. 30084. Sample No. 65406-K.)**

**INFORMATION FILED:** March 14, 1951, Northern District of Indiana, against the Little Crow Milling Co., a corporation, Warsaw, Ind.

**ALLEGED SHIPMENT:** On or about May 24, 1950, from the State of Indiana into the State of Illinois.

**LABEL, IN PART:** "A product of Little Crow Coco-Wheats Cooks in 4 minutes The delicious Cocoa coated Hot Wheat Cereal Wheat Farina, Cocoa, Vitamin B<sub>1</sub>, 'Sunshine' Vitamin 'D,' Calcium, Vanilla, Vanillin and Courmarin. Net Wt. 1 Lb. 8 Oz. \* \* \* Nutritionally Improved One serving of Coco-Wheats (one dry oz.) supplies from 10 to 20% of the Vitamin B<sub>1</sub> and 20% of the Calcium and 50% of the 'Sunshine' Vitamin D required for minimum daily needs of adults and children."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, vitamin D and calcium, had been in part omitted or abstracted from the product.

Misbranding, Section 403 (a), the label statements "One serving of Coco-Wheats (one dry oz.) supplies \* \* \* 20% of the Calcium and 50% of the 'Sunshine' Vitamin D required for minimum daily needs of adults and children" were false and misleading since each dry ounce of the product would not supply 20 percent of the calcium and 50 percent of the vitamin D required for the minimum daily needs of adults and children.

**DISPOSITION:** April 11, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$100, plus costs.

## DAIRY PRODUCTS\*

### BUTTER

**17216. Adulteration of butter. U. S. v. Farmers Creamery Assn. of De Smet, a corporation, and Kenneth A. Hillestad. Pleas of guilty. Each defendant fined \$25. (F. D. C. No. 30052. Sample No. 85313-K.)**

**INFORMATION FILED:** February 13, 1951, District of South Dakota, against Farmers Creamery Assn. of De Smet, a corporation, De Smet, S. Dak., and Kenneth A. Hillestad, manager of the corporation.

\*See also No. 17250.